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The Week.

It was said at the time that Governor Hoffman's friends "killed" Hancock in the Pennsylvania Democratic Convention; that the Cuban-Fenian meeting the other evening was got up for the purpose of getting cheers for an informal nomination of the Governor for President; that the Fourth of July meeting of Tammany was for the same purpose; that Mr. James Fisk, Jr., and Mr. Jay Gould began the Albany and Susquehanna war—at all events, made their appeal to the Governor—that our chief magistrate might have an opportunity of showing to all mankind his energy and executive ability; and now comes the story about Rosecrans's nomination in Ohio, which also puts Mr. Hoffman in the attitude of a most carefully groomed competitor in the next great race. The story is to the effect that Mr. Pendleton is a person whose political death is desirable and necessary, and that, in order to secure it, Mr. Hoffman's friends proposed that if the Ohio brethren would support Hoffman in 1872, Judge Ranney—most popular of Northern Ohio Democrats—should have the second place on the national ticket. He must be nominated, then, and elected, Governor of Ohio, to give him prestige. But "Ohio's Favorite Son" heard of this "little game," as they say in California; and though he himself did not wish for the nomination—for the Democrats are to be beaten in Ohio this fall—it behoved him to show his strength and prevent the Ranney movement. This he easily did, and he did it by having Rosecrans put in nomination, as he easily could, for he is still the most potent of the Ohio Democracy. Thus the Tammany ring was defeated; but now, Rosecrans having declined, Pendleton has to come out, after all, and take his beating. He cannot say, in 1872, that he made a good, sound, "peace" platform, and then got Ohio to accept it by the skilful employment of "Old Rosey;" on the contrary, he must make confession that his platform would not do, that his generalship did not serve its purpose, and that it is a part of Ohio only of which he is the Favorite Son. So Mr. Hoffman has apparently put one more candidate out of the way; but, like Washington Irving's Dutchman, certainly he is running a long time before it is time to jump.

There is at least one moral to be drawn from tales like this—and if they are false, the moral may be drawn from the fact that they are everywhere current—and that is, that it is a fine thing to be the ally and pet of the gentlemen whose duty it is to decide at election time how large the Democratic majority in this city is to be. To begin with, one can thus be made to show on one or more municipal tracks any desired amount of running power. Then, as the majority in the city, made to order, can be made big enough to cover over the

adverse majority in the State, a candidate with these gentlemen behind him can be New York's Favorite Son any day he likes. And then, when the friends of such a personage as that go into the national gatherings of the Democracy, and place before the convention his name as that of a candidate who has thirty-three electoral votes safe in his pocket, the convention may be supposed likely to be civil. We may yet live to see the three head men of Tammany giving us a President—in which case the expenses of supporting those pillars of the State will be shared between us and the nation at large—without our share becoming much smaller either, we suppose. As the work nearest the hands of decent New York Republicans, we hope attention may be given to the firm establishment of a Republican General Committee in this city which shall not be owned by these same gentlemen who have made us a Governor, and who talk of making us a President. And we dare say leading Democrats in other States may soon be willing to lend our City Republicans their moral support. As matters stand now, New York when in convention exerts in the party councils an influence to which neither the brains nor the numbers of her Democrats entitle her, and overslaughes foreign Democrats by her frauds about as much as she does her domestic Republicans.

Tennessee politics are largely personal, and when the Nashville *Banner* comes out against Ex-President Johnson as the Senator to succeed Mr. Fowler, it is not so easy as it would be in the case of a Northern party organ to say whether the man it fulminates against is distasteful to a section of the party to which the paper belongs, or whether it is merely that the paper has decided to support one chief-tain's claims rather than another's. We may indulge a cautious hope, however, that Mr. Johnson is not going to be sent, for our national sins, to sit for six years in the United States Senate. The *Banner* cannot see what it is that Andrew Johnson has accomplished for Tennessee that Tennessee should be expected to load him with additional honors, and says that it is not a gladiator that Tennessee now wants in the Senate, but a man of peace. Union, civil order, and quietness at home are what Tennessee has need of now, and not a Senator at Washington who will infallibly draw on himself, his State, and his people the fire of Congress and general ill-will. This sounds very well; and also it sounds a little like some gentlemanly and smooth-tongued statesman of the Old Line Whig order who might like a place in the Senate for himself; and the voice may be the voice of the *Banner*, while the words are the words of the Hon. Emerson Etheridge or the Hon. Baillie Peyton. A better assurance that Mr. Johnson will not be sent to Washington again we get when we ask ourselves in vain what on earth the Northern Democratic leaders can be thinking of not to entreat with their Southern brethren to keep him at home, where he can only do the Republican party local good and his own friends local injury. Still, a Legislature made up all but wholly of Tennessee Democrats is hard to hold. As for Senter men, Senter seems the only one of them left.

Elsewhere politics are not particularly lively, though Grant has made some stir by what he has been saying about Judge Dent's candidacy in Mississippi. Dent is trying to divide the party, Grant says in substance, and shall not have his help, for he believes that but a very few Republicans are among those who want the Judge as a candidate, and that their success would necessarily be a rebel success. This will be pleasant news to the astute Mississippians who, having read the Democratic papers carefully, were thinking that to get Grant on their side, all that would be necessary would be to put in nomination

a relative of his. This Dent movement in Mississippi is practically a request to the President to lend aid in breaking up the party which elected him, and is a request to which he was justified in giving an answer. The one he has given is a negative which will give general satisfaction to the Republicans, to those of them who disapproved as well as to those who approved Mr. Boutwell's and Mr. Creswell's interference in Tennessee politics. We learn that in the case of Virginia, as well as of Tennessee, Grant's sympathies were with the Radical wing of the party. He acted, however, on the theory that there was a real division of opinion among the Republicans of these two States, and that they had a right to settle their disputes without intervention from outsiders; but the Walker men and the Senter men will no doubt find that they will have to live up to their pledges if they expect to be recognized as within the pale. Much sensation has been excited by the announcement that General Canby is going to exact the iron-clad oath of the members of the new Virginia Legislature—which will exclude most of the Walkerites.

A Labor Convention, larger than has ever been held before, is in session in Philadelphia. Up to the moment of writing, nothing has been done beyond hearing an address from the Vice-President and a report from the executive committee, and refusing to admit Miss Anthony as a delegate from the Workingwomen's Association, on the ground, as urged by one member, that she was an enemy of labor, having employed women and unskilled labor in the *Revolution* office. The address and report, perhaps, indicated pretty clearly the objects of the Convention; if so, they are—the formation of a workingman's political party, pure and simple; the influencing of State Legislatures by agitation; opposition to Chinese emigration—the workingmen having apparently at last got hold of what seems a very simple idea, that taxes on foreign commodities do little for the native laborer, so long as foreign laborers are admitted without stint or hindrance; the restriction by law of the profits of all distributors and exchangers of commodities; the payment of the national debt in greenbacks. The Vice-President also indulged in a good deal of savage denunciation of "the old Norman law of inheritance," whatever that may be; of "the British villanous land and money systems;" and he announced his desire to have the country made "hot" for "the knaves and idlers" connected with these systems—by which we presume he means capitalists.

The condition of the judiciary in this State has received two signal illustrations during the week. The game of cross injunctions and counter orders which was carried on between Judge Barnard, acting in the Fisk interest, and Judge Peckham, acting in the Ramsey interest, with reference to the Susquehanna Railroad, at last brought things to such a pass that the only mode of deciding who was entitled to the possession of the road left open to the disputants was an armed struggle; and to this they resorted. Each brought on the ground a body of armed retainers, variously estimated at from 400 to 800 men, and tore up the track, destroyed culverts and bridges, seized on rolling stock, and finally used the locomotives as rams, after having carried the opposing forces to the scene of action. The traffic of a great public highway was thus for some days completely suspended, a whole district convulsed by private war, and the property of a great corporation placed at the mercy of a pair of undisciplined mobs. There was no use in saying to the leaders in the struggle that they ought to lay down their arms and submit their quarrel to the decision of the officers of the law. They had exhausted all legal means of redress when they took up arms. They had employed some of the acutest lawyers at the bar; and these, working night and day, had done all that skill, learning, and ingenuity could suggest to get from the people's judges an authoritative answer to the question, Who is entitled to the possession of the Albany and Susquehanna Railroad? But it was found in practice that, there being a great many judges, all having concurrent jurisdiction, and some ready to take one side of a controversy and some another, one suitor was speedily armed with as many writs, of the same force and effect, in his favor as the other had in his favor; and as each writ related to the same subject-matter, there was nothing

left for it but to fight—in other words, but to resort to the reserved right of armed self-defence which corporations as well as individuals undoubtedly possess in the absence of courts.

A good deal of fault has been found with Governor Hoffman for stepping in and taking charge of the road at the request of the parties, it being no part of his duty, it has been said, to work railroads at the request of contending speculators. But what better use could a governor possibly put himself to than taking charge of a great highway threatened with complete closure, and devastated by civil war, owing to the total absence of judicial means of deciding to whom it belonged? If this be not a legitimate part of a governor's business, what can be the use of governors? With what face could he keep troops to prevent either Fisk or Ramsey from working the road, after they had told him that they could find no judicial redress, and had offered to place this great body of unprotected property in his hands till some peaceful and rational mode of settling their quarrel could be hit on? Concurrent jurisdiction, when held by a large body of judges in several different courts, may work well enough when judges are carefully selected, and when they use their discretion in constant dread of the opinion of the bar and of the public. But, as long as we do not allow them to be selected, in any proper sense of the term, but rather tossed up for in one of the dirtiest of games, and are content to see men on the bench who care no more for the opinion of either bar or people than for the lowing of so many oxen, we ought to be only too thankful that we have a governor who is willing to step in, as Mr. Hoffman has done in this case, to keep the peace in an inexpensive and sensible way.

The other illustration was a *habeas corpus* issued by Judge McCunn for the deliverance of one Pratt, a Texan cut-throat, who was one of the ringleaders in the brutal murder of Captain Smith, in Texas, last October, on which we commented at the time. Smith, an ex-Union officer, was, as part of a preconcerted plan, lodged in jail on some trumped-up charge, apparently that the Ku-klux might find him "handy" when they wanted him. He, knowing what was coming, applied for a guard of United States troops, and got it; but the "regulators" arrived, Pratt amongst them, intimidated the officer in command into offering no resistance, and then entered the jail and riddled poor Smith with balls. General Reynolds has been in pursuit of Pratt ever since, and at last caught him here, and a *habeas corpus* from Judge McCunn caused the jailer to produce him, with the return—which the Supreme Court of the United States, in the case of *Abelmar* agt. *Booth*, has pronounced sufficient, and, as regards all State courts, final—that the prisoner was in custody under the authority of the United States, and he was accordingly remanded to the jailer's custody. Marshal Barlow, then, in order to be secure against fresh attempts to release the prisoner on the part of other New York judges, transferred him to Fort Schuyler, on hearing of which Judge McCunn issued a fresh order, directing the Marshal to discharge the prisoner, which the Marshal, under the decision above referred to, disregarded, as he held the prisoner, as Judge McCunn knew, under the warrant of the United States Commissioner. Whereupon the Judge prepared a warrant for the arrest of the Marshal and the commanding officer at Fort Schuyler, on hearing of which the Marshal, by General Grant's order, surrounded himself with a guard of soldiers. Pratt was discharged by the Commissioner for want of evidence.

The affair has been in many ways scandalous, but it could not have occurred if our bench was in a proper condition. It was a gross abuse of Judge McCunn's discretion to hear, and indeed encourage, a long argument on the return to the *habeas corpus*, after he had found the prisoner was in the custody of the United States; and the reason why, after this, Marshal Barlow removed the prisoner to Fort Schuyler, and surrounded himself with a guard, is the very same reason which drove the Union Pacific, and will probably drive other roads, into removing their offices out of this State. The relations between the States and the United States are very delicate, and are largely dependent for their proper and peaceful maintenance on the character of the judges. With such judges as some of those we

now have in this city, an armed collision between the two will always be one of the possibilities of every question of jurisdiction. Men like Judge McCunn cannot be allowed to have their own way simply because they are judges. Even if the inhabitants of this city be willing to put up with them, there is no reason why the United States should let them discharge its prisoners on *habeas corpus*, and lock up its officers for contempt of them; they all doubtless feel it, and there are cases in which their duty requires them to show it. Arrests under a United States Commissioner's warrant would be complete farces if State judges, as judges now are, could discharge them; just as the collection of the United States revenue would become a farce if injunctions, such as Judge Barnard issued the other day, could be enforced by State judges against collectors, forbidding them to demand and receive their dues. This last case is to be removed to the United States courts; but suppose the latter to dissolve the Barnard injunction, and Barnard to reimpose it and issue contempt warrants against all persons who disregarded it, what is to be done? If the troops cannot be summoned from Fort Schuyler to protect the Federal officers, in what sense is this State "a State in the Union?"

Count de Rochechouart, the present French chargé d'affaires at Peking, has been writing a letter to the *Journal des Economistes* on the subject of Chinese money, in which he makes sundry observations on the condition of Chinese society which, we regret to say, place our Celestial brethren in a much less favorable light before the world than the accounts given by Mr. Burlingame. He says, for instance, that the adulteration and other cheats in the copper coinage have long been one of the great sources of revenue to the Central Government, and that when, by reason of the approach of a band of rebels, for instance, the copper coins fall heavily in value, owing to their great weight, the Mandarins have a pleasant way of levying the taxes by a silver standard, just as if the United States Government were, when gold was high, to levy its taxes in paper estimated in gold. He says that it would never do to abolish the consular jurisdictions in the trading ports, and submit the Europeans to the jurisdiction of the mandarins, who, he says, possess too few moral qualities, and are too ignorant, to make it possible to entrust them with the duty of doing justice between Europeans. Indeed, he adds that these functionaries "have only one idea, and that is, to throw us into the sea and get rid of us."

Talking of the Chinese, we find some observations in the *Ashtabula* (Ohio) *Sentinel* on the probable effect of an influx of the Chinese and other Asiatics on American society which are well worthy of attention. It scoffs at the notion that the civilization or social or political life of an Aryan race can be seriously influenced by contact with any number of barbarians of the Turanian or any other stock. If they settle among us permanently, they will adopt our religion and manners; if they do not, they will take themselves off when they have made a little money, and leave us as they found us. But that they will prove willing, industrious, and economical servants, working at small wages, when they see Americans constantly occupied in devising means of escaping work themselves, the writer pronounces a pure though sweet delusion. He says the great danger of the country just now is not the Chinese immigrants, but American laziness. No native American wants to do any hard work any longer; he imposes it on machinery or foreigners. He won't serve an apprenticeship to any manual art, or dig, delve, or mine, wash, cook, or plough, milk cows or bear children, if he can possibly get anybody else to do it for him. The *Sentinel* says there are 5,000,000 of blacks at the South and 10,000,000 of whites, and the whites do nothing nevertheless but howl for "more labor," being themselves nearly to a man idle. The farm-houses at the North, it says, are full of "well-dressed young ladies waiting to be married;" and the father is left to till the farm owing to the departure of the boys to peddle illustrated books, quack medicines, and patent rights, or be clerks in a store—a statement which, coming from a Western country paper, we commend to the attention of the ferocious agricultural organ which so cruelly chastised the *Nation* for saying the same thing a few weeks ago. We are still of opinion, however, that the Chinaman will supersede Bridget; her Aryan origin will not save her.

We must remind the *Sentinel*, moreover, that the eagerness to escape manual labor is not peculiar to Americans. All races share it; in other countries, a particular class of the community impose the lowest kind of toil on their own countrymen; here the natives, owing to their superiority in culture of various kinds, impose it on foreigners. But the dislike of manual labor is really the mainspring of civilization. The ideal world of some of our social philosophers, in which everybody would work with his hands, would be simply a world of barbarians. It is well known that the most ardent preachers of the dignity and delight of manual labor are persons who themselves only resort to it for amusement or exercise.

The new French Minister of Justice, M. Duvergier, has presented the "exposé des motifs," or, in other words, the reasons which have actuated the Government in proposing the reforms to be embodied in the pending *senatus-consultum*. There is, however, nothing new in the statement of them, and the document is interesting rather as a specimen of the way in which an absolute monarch saves his dignity in giving way to popular demands, than as a political paper properly so called. Great care is taken in it to represent the coming changes as the products of the Emperor's "foresight" and "sagacity;" the part which it assigns to the nation is that of "assenting" and "adhering" to them. The general result of the change is, that the Lower Chamber gets the power of introducing and *fully* discussing laws, instead of only partially discussing and agreeing to them, as heretofore; it gets the power of discussing and voting on the budget, item by item, instead of having, as heretofore, to accept or reject it as a whole, or *en bloc*, as the French call it, so that an objectionable appropriation can now be struck out without leaving the country for one year without revenue; and the Government surrenders the power—which, combined with the vote *en bloc*, rendered the control of the Chamber over the finances a mere sham—of transferring to one department of the public service, at its own discretion, money voted for another. Heretofore, for instance, supposing three millions were voted for education and five for the army, the Government had the power, exercised every year, of devoting six millions to the army, and only two to education, and so on; so that the country really had no share in fixing the comparative importance of different branches of the public service. The election by the Chambers of their own officers will do something to put a stop to the very comical hortatory labors of the chair, and the control of the commercial treaties and postal tariffs will probably endanger the treaty with England. The majority of the Chamber are undoubtedly protectionists, and are powerfully influenced by the great manufacturers; and the *Journal des Economistes* acknowledges that in this case economical progress will probably be hindered by political progress. There is no mention in the "exposé des motifs" of the abolition of Article 75 of the Constitution, which exempts functionaries from prosecution, except by permission of the Council of State, and so long as this lasts personal government is really not destroyed.

For the first time in the history of the empire, statistics making some approach to accuracy have been published relating to the population of Russia. The difficulties of making a census in that country, owing to the semi-barbarous condition of the eastern portion, are well known; but M. Semenov, the chief of the Statistical Bureau of the Ministry of the Interior, has made some deductions from the census of 1863 which may be relied on with some degree of confidence. He gives the total population as 60,909,000; the births as 3,089,450, and the deaths as 2,243,321 per annum, at which rate of increase it may be said that in Russia population, as in Germany and England, doubles in about fifty years, or one-half less rapidly than in the United States. There is one birth every year to 19.7 inhabitants, while in France there is only one to 37.5. The deaths, on the other hand, are one in 37, which is a higher rate than that of any European country, and makes large families very necessary; but, as might be expected, the further west one comes, the more the rate of mortality declines, the average of life increasing with the civilization of the community, until in the Baltic Provinces it stands almost on the same level with that of Germany.

THE NEXT WORK FOR THE REPUBLICAN PARTY.

THE speech made the other day by Governor Palmer, of Illinois, before the Ohio Republican Convention of that State, deserves attention for having stated in pretty plain terms the conditions on which the retention of power by the Republican party depends, or rather, indeed, the kind of work to which Republicans have now to devote themselves. He says frankly that the people will sustain no party on account of its past deeds, and that the services of the Republican party are part of the inheritance of the nation, but that, if the organization is to live, it must live by laboring for the welfare of the country. He then goes on to indicate in what way it must labor for the benefit of the country by enumerating the questions which it must deal with—or, as he says, “the abuses that have grown up during the war which it must take hold of.” These are “the heavy burden of taxation;” a want of responsibility on the part of public officers; gross corruption in the States, counties, and towns, especially those which have been long in Democratic hands. In other words, he thinks that the great work before the country now is the purification of the State governments and State institutions—which, during the long absorption of the public mind in the contest with the South, have largely fallen into the hands of thieves; and the restoration of the States to their proper dignity and weight in the Federal system—they having, he thinks, owing to the excesses of the State-rights party, lost both “their purity and respectability.”

This is, we believe, the first formal expression we have had from any public man of what nine persons in ten have been thinking, and what five in ten have for some months back—indeed, ever since the Reconstruction question was fairly disposed of—been saying in private. The idea which formed the Republican party, and which during the last fourteen tremendous years has held it together, has been worked out. It is now embodied, or will beyond peradventure very soon be embodied, in legislation. The work of achieving its triumph, however, was of such magnitude and such a nature that it necessarily diverted the mind of the public from all other political questions. Its most marked effect, apart from the emancipation of the slaves and the eradication of the color discrimination from legislation, has been to develop enormously the public taste for general ideas and abstract propositions, and to foster greatly the popular faith in loud-sounding formulæ. The multiplicity of strange, sweeping propositions on all sorts of subjects which one hears now every day announced from platforms and pulpits and in newspapers as legitimate inferences from the doctrine of human equality, which was necessarily and properly the principal weapon in the anti-slavery struggle, is one of the most striking political phenomena of the day. Under the cover of this taste and tendency, of course, a great number of abuses have sprung up and are flourishing in all branches of administration; and a great number of problems of the last importance are pressing for solution. The administration of justice and everything connected with it, from the courts of last resort down to the police and the jails, is, in nearly every State, in a condition which everybody admits calls for treatment of some kind. The power of the great corporations, and particularly railroad corporations, has assumed proportions which are exerting most deplorable effects on the State legislators and on the judiciary. The management of the prisons in a very large number of the States is honeycombed with abuses. The machinery of municipal government, especially in the now numerous large cities, is either out of gear or unfitted to its work. The only thing about public schools which seems to be well settled is, that they ought to exist. On all that relates to attendance, discipline of pupils, the pay and qualifications of teachers, the courses and hours of study, the public may be fairly said not yet to know its own mind. It is agreed on all hands that men should abstain from the abuse of intoxicating drinks; but about the best mode of preventing it there is the wildest confusion of opinion; and in all discussions which take place on the subject, it is plain that we are still far from anything approaching to general agreement upon a subject on which, perhaps, in a democratic country, it is more necessary there should be something like general agreement than on any other, and that is the proper limits of the province of government. There is a large and powerful section of the community which thinks the Government should do nothing for

a man except help to keep him from being robbed. There is another which thinks it should regulate his drink, his hours of labor, the kind of labor he should pursue, and even lend him money at low rates of interest. The relations of capital and labor, of husbands and wives, are in every State in a condition of extreme disorder, and the discussion of them, so far from having as yet seriously engaged the attention of the mass of the people, is mainly confined to a few enthusiasts or a few demagogues—the latter doing all they can to darken counsel. The way they have begun to bid against each other of late, in diminishing the hours of labor, is a striking illustration of the way in which the subject has thus far been neglected by the bulk of rational men.

Last of all, there comes the tariff question. There is probably nothing before the public which comes home to men’s “business and bosoms” as this does. The manner in which it will be settled affects the price of everything—everybody eats, drinks, and wears. It is not now settled, or anything like it. The protectionists are not satisfied with the present tariff, because, although it falls very little short of prohibition, it does not afford them, in many branches of industry, protection enough. The free-traders are hostile to it: first, on principle; and, secondly, because, besides increasing prices in the domestic market, it has so raised the cost of home production as to be killing our foreign trade. The great markets of the world, as was well illustrated by the late returns of the foreign commerce of China, are gradually passing into the possession of other nations.

Now, the question before politicians is, whether you can take the Republican organization, as it stands, and use it for the solution of all these questions? There are many reasons for desiring to use it for such work; and first amongst them is the fact that, as we have often remarked, it contains in its ranks nearly all the reformers, and people of reforming tastes and tendencies, to be found in the country. Indeed, one might roughly describe the distinction between the two great parties by saying that a Republican thinks the world needs a great deal of improvement, and that there is no comfort to be had in it without continual attempts to improve it; while the Democrat thinks it is, or was till the Republicans took charge of it, a perfectly satisfactory world, and that by letting things alone, and properly respecting the rights of liquor-dealers, more happiness can be got out of it than in any other way. But then, when you come to look facts in the face, and sit down, for instance, to draw a platform which shall command the adhesion of the Republican party about education, or the judiciary, or the tariff, or prohibition, or the civil service, or almost any other question now agitated, you feel at once that, powerful as it was on the question of equality before the law, it is not to be depended on for concerted action on any other. There is not a single problem of magnitude now ripe for discussion on which anybody who wants to keep the party together dare press it to declare itself. Many of the leaders know this perfectly well, and are accordingly trying to elevate some question not prominently before the public into factitious importance, so as to keep the ranks unbroken as long as possible. But, practically, this is about as sensible as trying to keep an army together by avoiding the enemy. The business of a party is not to exist simply and divide the offices, but to take positive and incessant action on a great variety of subjects.

Then there is another question which may be said to be dividing the party already, without any pressure from the outside, and that is, the question of the fitness of faithful rascals for important public offices. These gentlemen enjoy, owing to the war, a position such as they have never enjoyed before, inasmuch as service in the field or elsewhere, which many of them can boast, provides them with a kind of moral corset which gives them a most imposing “set-up,” and enables them to make as good an appearance as if they had begun life as saints. People, too, have been very loth to poke them in the ribs, or otherwise call public attention to the fact that the corset was there, and the fine figure was a sham after all; and they have consequently had a run of good things during the last five or six years, such as has never fallen to the lot of men of their kind before, and probably never will again. But we believe we are right in saying that a large portion of the Republican party begins to tire of the spectacle of their elevation, and even begins to tire of the party discipline to which they owe it. Good men all over the country, who have worked in good causes all their lifetime,

are beginning to ask themselves seriously whether they have not voted the regular ticket, and overlooked the little black spots in the career of candidates, fully as long as is good for either their own souls or for the country. We see or hear from such men every day. Whatever policy the Republican party may adopt, they say some change or convulsion is necessary that will rid it of some of its most active "workers" and officers of all grades, and not a few of them are ready for anything that will bring this about.

THE PROSPECT IN FRANCE.

THE situation in France seems to become more and more interesting as the weeks roll by. The contest between the Liberals and the Emperor has since the elections been exceedingly dramatic; the plot full of startling incidents and surprises, and possessing one of the highest merits of plots, in that it has thus far given nobody the slightest inkling of what the *dénouement* is to be. When the new Chamber was dissolved in the spring, although there were some bad signs for the Government, such as the election of M. Grévy, nevertheless there was no general expectation that the system of forcing official candidates on the electors, by means of official bribing and threatening, would work less well than it had always done; for besides the usual influence of official pressure on the minds of the peasantry, and the enormous number of the Government functionaries, the prefects have under the constitution the power of gerrymandering the election districts immediately before election. If, for instance, as at Bordeaux, the prefect has reason to believe that the vote in a particular district is likely to go against the Government, he can lop a piece of it off and stick it on to another, and add a piece from a third in place of the detached portion, so as to make a sure thing of the result; and this sort of work the prefects did, not as an American politician would do it, shamefacedly and with secrecy, but openly, proudly, and with the air of men who knew their duty, and were glad to let the world see that they would not shrink from it.

The result of the election at first sight, too, seemed favorable enough. The radical ranks, it is true, were swelled from about nineteen to forty; but, to all appearance, the Government could count positively on the remaining 253 members of the Corps. There was, it is true, something startling in the fact that in the Liberal districts there was an unlooked-for outburst of intense radical and, indeed, as it seemed, socialistic feeling. The old campaigners, like Favre, Simon, and Picard, who had borne the heat and burden of the day, came very near being repudiated by their own followers for lukewarmness, and the root-and-branch men rose high in popular favor. This frightened many people; but it at first reassured and even encouraged the Government. Was not the Emperor the saviour of society? did he not owe his elevation to the general dread of the socialists? and was not this fresh outbreak of socialist fervor a fresh proof that society still needed him?

When the Chamber met, however, it became plain that something had happened out of the usual course. In a single day it was evident that a new power had shown itself in France; that a new spirit had taken possession of the people; that, in short, personal government had broken down; and that the alternative, reform or revolution, was staring people in the face as it did in 1847. A new party, known as the "Tiers Parti," at once showed itself; and, to the number of 116—a large proportion of them deserters from the Imperial ranks—signed a paper calling on the Government to concede the responsibility of the Ministry, the independence of the Chamber, to abandon the power of making commercial and postal treaties and to declare war without its consent, and to abolish Article 75 of the Constitution, exempting functionaries from responsibility before the courts for their official acts; in short, to abolish personal government—the very essence of the Napoleonic system—and substitute parliamentary government, the perniciousness of which had always been a cardinal doctrine of the Napoleonic creed. To everybody's surprise, the Emperor gave way at once; the Ministry resigned, and a new one was formed; but what was suspicious about the surrender was, that though, on sound parliamentary principles, the "Tiers Parti" ought to have composed the new Ministry, not one of them was let into it. While they were grumbling and wondering over this, came a decree proroguing the Corps before

the members had well taken their places, and convening the Senate, which is now sitting, to discuss and adopt the *senatus-consultum* which is to embody the new reforms. This was adding insult to injury; and the insult was aggravated in the eyes of the Opposition by the somewhat ludicrous circumstance that the first they heard of the prorogation was from M. Schneider, the President of the Chamber, who announced it not from the chair, but from his carriage-window in the street, round which a large number of members gathered when he drove up to the door.

Why the Emperor prorogued the Chamber was at first a great puzzle. Many were disposed to look on it as an act of defiance; but the majority at last settled down to the belief that the Emperor did it because he did not know what else to do. He was not prepared to face the fire of the Opposition debates while in the midst of a quandary, and with a new Ministry on his hands and still uncertain as to the aims or strength of the Opposition, so he resolved to stop their talking for a month or two while he was preparing his defence. The result has proved, in a most comical manner, that he was right. The "Tiers Parti" met again to draw up another address, or "interpellation," as they call it, to the Government, and fell to pieces at once. It was of course heterogeneous in its composition, and when it tried once more to put its united wishes and feelings on paper, in the shape of an address to the country, the various elements began to fight in a most lamentable way. The extreme radicals, or Left, as they are called, were for "going the whole hog," and exacting everything; the Left Centre were willing to be moderate and compromise; while the Centre was doubtful. The Right, of course, being composed of common Government hacks, put in by the prefects, counts for nothing in these troubles, and is paralyzed with fear. The establishment of parliamentary government would put an end to their political lives, and they know it, and are considerably abashed at finding that the Government is twice as liberal as they undertook to be on its behalf. There are in the Tiers Parti a dozen men who want to lead; but apparently not one is willing to serve, and the result has been complete disorganization at the very first meeting. Finding themselves unable to agree upon an address to the country, it was resolved that each member should address his own constituents in such manner as he thought fit, and on this they separated, but not without having exposed themselves to a good deal of ridicule on the part of the Government organs, one of which says that the country knows and cares nothing about them, and that they might as well be called Sou'sou'west or Nor'nor'east as Left or Left Centre, as far as it is concerned. The spectacle of their divisions, too, it must be admitted, is the best justification for the prorogation the Emperor could have—in his own eyes.

From the addresses of the members to their constituents—and notably from that of M. Keller, a noted and influential Catholic Conservative from the Rhine district—as well as from the articles in the Liberal papers, and especially from two very remarkable and instructive ones in the last *Revue des Deux Mondes*, from the pens of Saint-Marc Girardin and André Cochut, it is clear enough that the main body of French Liberals are willing to make peace with the present dynasty, on condition that personal government is definitively abandoned. M. Girardin, who is an old politician, who has seen, and indeed figured, in three revolutions, gives us an idea of the plan on which the moderates have apparently hit for enabling the Emperor to surrender without too great loss of dignity. Their theory is that universal suffrage took possession of the Government in 1848; that the exclusion by the National Assembly of about a third of the voters from the polls in 1850 was in reality a breach of faith, and a cause of great exasperation to the working-classes, and afforded Louis Napoleon a sort of plausible justification for the *coup d'état*; that after this a dictatorship was clearly necessary in the interest of public order and safety—as indeed it was after the Dixhuit Brumaire—but that a dictatorship is always a provisional and temporary remedy; that the great mistake of the First Napoleon was his conversion of it into a permanent form of government; that the dictatorship of 1851 has lasted as long as, and longer than, the public interests require it; that the people which acquiesced in it in 1851 refuses to acquiesce in it any longer; and that this being now plain to everybody, it will be the part of wisdom and of honor for the Emperor to

quit the provisional sphere and transform himself into a constitutional monarch. All seem agreed, however, that if he cannot make up his mind to this, his error will be followed by the same consequences as that of Napoleon I., Charles X., and Louis Philippe. The extreme men, and some moderates, on the other hand—Prévost-Paradol for one—deny that internal reforms can now save him, so great have been his transgressions, and that his only chance of safety is foreign war, and the wildest rumors as to his intentions are accordingly circulated and believed. Altogether, the scene is a striking and, in some respects, ludicrous illustration of the low condition to which the government of great men, and "men on horseback," and "wise rulers," and saviours of society has fallen in the modern world.

A WORD MORE ABOUT CHURCH AND STATE.

WE are in the habit of talking as if there was something in our institutions which makes them essentially distinct from those of any country in Europe, the fact being that they are in most things a development of European ideas. We have contributed, however, to the science of politics one new element—the complete organic separation of the state and the church. Other nations of Christendom have tolerated different forms of religious belief, worship, and association; indeed, the principle of toleration seems now to be a favorite one in Europe; but in all cases there is a connection more or less intimate between the civil society and one or more ecclesiastical societies. The American idea goes far beyond any mere toleration. The state with us does not recognize the church as having any legal existence whatever, and places all religious associations upon the same level, by denying to them anything but a mere voluntary condition, a mere self-assumed status. It is somewhat difficult for one who, by study or by experience, has become familiar with the relations of the church to the state in England or in any other European country, to form an accurate conception of the relations—or rather absence of relations—which subsist between the same bodies in the United States. We fear that American politicians and even American courts have sometimes failed to appreciate the true position occupied by the ecclesiastical in the midst of the civil society, and have been unconsciously influenced by notions derived from an acquaintance with English precedents. The state does not recognize any church as a spiritual body; it regards the congregations of believers as mere voluntary associations, united from motives and for purposes of which it takes no cognizance; it treats the forms and ceremonies, the sacraments and vows, by which individuals are admitted within the spiritual pale, and the canons and rules by which they are governed while therein, as self-imposed, as having no legal binding force, and as capable of being broken or thrown off at pleasure without incurring any legal penalty; but it does admit the fact that property may be held by or in trust for these societies, and does protect the possession and use thereof to the same extent and for the same reasons as in the innumerable instances where the subject-matter of the ownership is entirely devoted to secular uses. Indeed, our law has broken down and utterly destroyed the distinction between religious and secular purposes. Church corporations are common in the United States—more so, perhaps, than in any other country—but they are not "religious corporations" in the English sense of the term; they are purely business associations; they differ in no respect, except in the objects for which they are created, from banks and railways. The members of such a body may all, perhaps, be members of the interior and spiritual body called the church, or, on the contrary, none of them may have been received into the mysteries of that higher association; but the American state does not trouble itself to enquire in regard to that matter. It sees only a legal, secular organization possessing land, edifices, funds, and will guard the property therein, and will enforce the trusts which have been created, in exactly the same manner as it would in the case of a college or hospital. But it is the very essence of the American theory that there is no legal ecclesiastical status, there is no legal right, in a person to be a member of or a clergyman in any particular church. If an individual, by complying with the provisions of the statutes, has become a corporator in a parish, his rights to vote and to take a part in the business of the body-politic will be secured to him by the civil

tribunals. If a clergyman has been employed by the proper authority, whether trustees, vestry, or congregation, he will be treated as any other hired person, and may recover his wages upon the same legal principle as that which is invoked in the case of the humblest day-laborer.

Our law, however, confers no jurisdiction upon the courts to compel a bishop to lay hands in confirmation upon any applicant, or a session or congregation of believers to vote affirmatively when a person seeks admission to the spiritual body. When a candidate for the ministry has completed the prescribed or customary course of preliminary study, and exhibits the prescribed or customary amount of personal fitness, he cannot appeal to the judges or to the legislature to aid him in entering the ranks of the clergy, no matter how unjust or even malicious may be the acts of the church authorities in excluding him. This is equally true in respect to the methods of discipline by which the rules of government adopted by each ecclesiastical community are enforced, not even excepting the final processes of excommunication and deposition from the ministry. If the civil courts may under any circumstances interpose to prevent the expulsion of a member or the removal of a priest, it is only because the law clothes such membership or office with a legal character. But if it could do so—if the office of a member or priest were a legal status—then a person might demand to be admitted to it as well as to be retained in it. It is plain, then, that we must deny the latter power unless we are willing to admit the former. If an injunction is possible in the one case, a mandamus would be proper in the other. No doubt there may be some rights of property—or, rather, some capacities to acquire property—remotely affected by the action of church rulers in excommunicating a member or deposing a clergyman; but these rights and capacities all depend upon certain rules of a purely spiritual nature which have been voluntarily adopted and assented to—of which the law professes itself to be in utter ignorance, and with the administration of which it refuses to interfere.

But, in addition, no ecclesiastical discipline can have any necessary influence upon individual proprietary rights and capacities. The deposed minister cannot, it is true, officiate in any society which retains its connection with the church in question; but the congregation which had employed him may at any time dissolve that connection and retain him in his former position. They and he will be equally beyond the reach of any civil or spiritual penalties. This is the very essence of separation between church and state. Herein lies that perfect freedom of the church to act within its own peculiar sphere which is as dear to the American as the corresponding freedom of the state within the range of its proper functions. Any attempt of judges or legislators to control the proceedings of spiritual judicators is as much a violation of the American theory as would be any organized endeavor of the religious bodies to coerce the civil rulers. The recent and notable instance of such usurpation by a court in Chicago, on which we commented last week, ought to have called out a spontaneous and indignant rebuke from the press, secular and religious, instead of eliciting, as it did, an ill-concealed expression of approval if not of exultation from so many journals, especially from those which claim to be pre-eminently liberal in politics and religion. If the bishop and clerical assessors in one religious body may be restrained by an injunction, the sessions, presbyteries, and assemblies of a second denomination, and the congregations of another, are equally exposed to the same judicial interference. A bill in equity to prevent the contemplated union of the Old and New School Presbyterians would doubtless raise a violent storm of indignation in ecclesiastical circles; and yet the legal principle by which such a suit could be sustained is exactly the same as that which has been invoked in behalf of Mr. Cheney.

No argument is needed to convince any American that this principle of church and state freedom which has been incorporated into our fundamental law is the true one; that its practical workings are advantageous both to the civil and to the spiritual societies. It should be a source of gratification to us to see the Parliament of Great Britain adopting the same idea and applying it to a portion of the empire. It is surprising, therefore, that so many newspapers which represent the

Protestant Episcopal Church in the United States have united in lamenting the late action of the British legislature, as though a blow had been struck at the prosperity and usefulness, if not at the very life itself, of the same church in Ireland. We should have supposed that all American Episcopalians would rather have hailed this new measure with delight. The history of their own communion in this country should have taught them the good effects of ecclesiastical liberty, especially in the midst of a population strongly hostile. At the close of the Revolution, the Episcopal Church in the United States was in a condition of mere suspended animation. Its numbers had been very few during the colonial times; it was surrounded by other denominations strongly antagonistic to its doctrines, worship, and organization; it bore the odium of its former connection with the mother country, and of the political opinions of its clergy, most of whom had been violently opposed to the war for independence. In fact, it has not even yet recovered from the weight of unpopularity which rested upon it, for no other religious body is so constantly attacked by the secular newspapers and periodicals. But, notwithstanding all these disadvantages, it has prospered, and has grown in numbers and influence, to an extent which has surprised even its own adherents.

THE USURERS IN COURT.

THE bankers and brokers who pleaded guilty to the charge of usury recently brought against them by the Grand Jury of the county, have received their sentence. It has not been an excessively severe one. A money fine, comparatively light for men of wealth, has healed the wounded majesty of the law. Eleven of the criminals pleaded guilty of usury. Nine were fined for the crime of usury with which they were charged, and which they had confessed. Two were sentenced to a fine for the crime of usury which they had confessed, and also to a term of confinement in the city prison for other crimes of which they had not been accused, for which they had not been tried, and of which they had not been convicted. Judge Cardozo forgot the discretion which he displayed in the rest of the sentence when he sought to inflict discriminating punishment on two of the criminals for crimes with which they were not charged, such as language defiant towards the policeman who arrested them, and especially when he accompanied its announcement with remarks that would have exposed a less exalted reputation to a faint suspicion of demagoguery. This error—if so trifling a deviation from justice as punishing a man for a crime of which he has not been accused can be called an error—was, however, promptly and honorably acknowledged and amended. When the facts of the case were brought to the knowledge of the judge, after sentence had been passed, he suspended or entirely remitted the punishment by imprisonment, and the frightened criminals left the court, flanking their stars and Judge Cardozo for having got off so easily. Here, to the minds of thoughtless people, the interest in the usury trials ends. But to those who watch public affairs with a view to future developments from present events, the real interest in these usury trials only begins. It is worth while to divest the questions involved of the surrounding complications that hide their real significance.

Public sentiment is against the usurers, because the public believes that the men who received usurious rates of interest were the same men as those who created the stringency in the money market which proved so injurious to business throughout the country. Nothing could be further from the truth. There was not only no connection between the two, but there was positive antagonism. The men who created the stringency—who locked up money, as the phrase goes—are perfectly well known. One or two second-class national-bank presidents, the robber-barons of the so-called Erie clique, with one or two large "bear" speculators and their brokers and hangers-on—these were the creators of the lock-up. They were fighting the Vanderbilt clique—the men who believe that Mr. Vanderbilt's administration will make the shares of the different railroads with which he is identified more valuable than they are even now. The Erie clique wanted to make the Vanderbilt men sell their stocks, and for that purpose created the stringency. They accomplished it by not lending their own money at all, and by inducing their friends and colleagues to withhold theirs. These men

were not the usurers, as the public seems to think; these men sought to prevent their opponents from getting money on any terms, and would not lend their own money at any price. The public indignation against them is just enough—their combinations to lock up money are injurious to public welfare, and utterly subversive of individual and public morality; but the public must not confound the men who created the monetary stringency with the men who sought to reap a well-earned reward for their efforts to relieve it. The men who created the stringency did so by *not* lending their money, and by inducing their friends to withhold theirs. The men who have been punished for usury were those who not only *did* lend their own money, but who went to great labor and expense to bring other people's money from all accessible points so as to lend it. It was they who called upon merchants, up-town and down-town, on private capitalists and retired business men, to gather whatever idle balances could be found; it was they who sent their messengers to Brooklyn and Newark and the river towns, and who telegraphed to Boston and Philadelphia, and Baltimore and Washington, and brought together all the money that could be spared in any quarter; it was they who strained their credit with foreign bankers to obtain advances not usually granted. To class these men with the originators of the lock-up is simply absurd. They were the worst enemies of the men engaged in making money scarce, for their efforts were constantly tending to make it plenty. And to suppose that business men would do this work from charity, or from love of their fellow-men, is, if possible, more absurd still. They obtained a liberal remuneration. They deserved it. They did not even have to ask for it. The leading borrowers habitually sought those brokers and bankers who were known or supposed to hold loanable funds, and obtained, as an act of friendship, the use of large sums, stipulating, of their own accord, that they would pay the highest rates of interest paid by any one. The smallest brokers were eagerly besought by leading houses to send in their balances, however small, at the highest rates of the day; and even on such terms loans were accepted in the light of favors. To make a crime of the services of men who strained every nerve to remedy a grave public evil, is one of those intolerable perversions of public sentiment which disgust the most sanguine. The only excuse that thinking men were able to give for the sudden forced revival of a barbarous and obsolete usury law was, that it could be distorted into a means of punishing the gamblers who disturbed the community by creating an artificial stringency in the money market; and forthwith the resuscitated law is applied, to the grim delight of the gamblers aforesaid, to punish the very men who had done everything in their power to alleviate the mischief complained of.

In the same mistaken way the public sympathizes with the efficient prosecuting attorney and the public-spirited grand jury that so cleverly and perseveringly brought the criminals to grief. But how is it that, throughout all the proceedings, no complainant has ever appeared? Can it be that the original complainant was ashamed of his position? Can it be that the complainant was one of the leading men of the Vanderbilt party who, day after day, borrowed large amounts of money from the men accused of usury, with the understanding that he accepted the loan as a favor, and expected to pay the highest rates of the day therefor? Can it be that the complainant did not even personally appear, but employed legal counsel to convince the officials of the justice, the necessity, the legality of the proceedings? Or can it be that the immaculate grand jury, not one of whom, from the foreman down, was ever guilty of usury, could not basely endure the wickedness they had to witness daily, but began proceedings of their own accord? There is evidently a mystery here. We have some opinions in regard to the natural depravity of man which make us doubtful if the pure souls of the grand jury were stirred to action by their own spontaneous impulses. With our experience of the *vis inertia* of official bodies, we are amazed at the energy of the district attorney. It is a remarkable fact that, within a few days past, brokers in Wall and Broad Street who are known to have been large borrowers of money during the tight times, have been informed that they were expected to pay up promptly their share of the expenses of the usury proceedings. What, in all the world, is the nature of these expenses? The sum demanded is not large enough for purposes of bribery, and,

of course, all ordinary expenses of the trial are borne by the State. This money can only have been used to pay the legal counsel and other persons employed to "lobby" judge, jury, and attorney. This, then, is the motive-power at bottom of the proceedings: a regularly organized and paid "lobby" of men, who (of course, impudently and falsely) pretend that they can influence a jury to frame an indictment, or an attorney to commence a prosecution, or a judge to give a verdict. How long even the spotless purity of our grand juries and our lower courts will be able to withstand the onslaughts of an organized lobby is very doubtful, and we cannot but note its introduction into our judicial system as a novelty of the most dangerous sort. The subject is too painful to pursue in this direction; but who will hereafter praise the watchfulness of a grand jury, or the efficiency of a district-attorney, while there is a possibility that they are merely unconscious instruments in the service of a set of unscrupulous gamblers? How is it, too, that, of fifty or more indictments said to have been found, only eleven were brought to trial? How is it, too, that every one of the accused, with most remarkable unanimity, pleaded guilty, well knowing themselves innocent? Was any hint conveyed to their counsel that it was best for them to do so? Was any promise held out to them that they would be leniently dealt with if they would only not force a trial?

A FEW REMARKS ON INSULTS.

WHY was it that during the earlier ages of mankind the man who received an insult was in the habit of retaliating in kind? Why was it his custom, if questions were raised by his enemy as to his honor, his personal beauty, or his paternity, to retort by raising doubts equally damaging as to the paternity, the personal beauty, or the honor of his enemy? Charles Reade asserts in one of his earlier books that the methods of retort have always been the same in all ages, and that those methods come under three categories—*tu quoque*, *tu mentiris*, and *vos damnamini*. We should have said that the matter was not quite so simple as this, and that the number of the possible classifications of retorts is only to be measured by the number of possible classifications of insults. This view would seem to be borne out by certain facts which we might adduce, as, for instance, the custom of Iceland—under which the person who considers himself insulted is allowed to call his insulter out to a combat of words in some public place; about the contestants gather their respective friends and admirers and a general throng of citizens, and when the appointed moment arrives one of the principals pours forth a torrent of abuse, thoroughly exposing the private character and life of his opponent, who follows with a reply which as completely does the business on his side. Then follows the replication, and after that the rejoinder and sur-rejoinder and rebutter and sur-rebutter, and whatever other additional forms are known to Icelandic law. Now, we can hardly imagine so carefully organized a system as this without imagining more possibilities at its base than the meagre scheme of the English novelist supplies. But however this may be, why was it that down to the fall of the Roman Empire custom permitted orators and poets and statesmen and, no doubt, every one else to insult to the right and left those with whom they quarrelled, without danger of violence, while the customs which sprang up with the rise of chivalry and feudalism produced a state of society in which the man who did not resent an insult by some kind of personal violence became *ipso facto* dishonored? And why is it that in the society of the nineteenth century a man who does resent an insult by means of personal violence is dubbed by society a fool?

The other day Dr. Mackey, Collector of the port of Charleston, was superseded by Mr. George W. Clark. As soon as the latter appeared on the scene, and demanded the keys of the Custom-house, Dr. Mackey, with Icelandic inventiveness, vituperated his successor as a "third-rate sutler," and declared that it was his intention to retain possession of the office until he should have protected the interests of the United States against the felonious designs of this same successor by taking an inventory of all the public property, and receiving a receipt. Now, if Mr. Clark had been a Roman of the Ciceronian epoch, he would undoubtedly have felt called upon to let Dr. Mackey know what his opinion of him was. He would have reminded him of his early life, the sorrow he had been to his parents, the prophecies of his ruin that were uttered with no reforming effect by the sages of his native town: then passing to his subsequent career, he would have pointed out the various schemes of villany in which the late collector had been engaged—his burning of churches, his robbing of provinces, the

amounts of plunder received by him; then taunting him with the memory of the sums he had aimed at, but had failed to secure, he would have finally wound up by passing to the consideration of his latter end, and the prediction of a miserable old age and neglected grave. On the other hand, had Mr. Clark been a Middle-Age Christian gentleman, he would have quietly informed the Doctor "where he could be found," and immediately placed the affair in the hands of a trusty friend. One of the two collectors would probably have been killed or disabled, and the Government relieved of all difficulty as between them. But Mr. Clark was, as our readers know, neither a Roman nor a feudal knight; and being neither more nor less than a progressive politician of the nineteenth century and these United States, mark well what he does. All the accounts agree that he smiles! He receives his predecessor's insults with silence, indifference, and even sweetness. He wins the day—he not only gets possession of the office, but receives the sympathy and applause of all the progressive newspapers and men throughout the country. If he had behaved in this way a hundred years ago, he would have reaped as his reward the scorn of his fellow-citizens and of society at large.

The records of the Boston Police Court have recently furnished an instance of the same sort of coolness. A certain Mr. Churchill (again, we believe we violate no confidence in saying it, a progressive man), coming into a railway car very nearly full, sees before him two seats turned over toward one another, and three gentlemen sitting therein. He enquires if the fourth seat is engaged, and, finding that it is, immediately takes it, saying, as one of the witnesses testified, in an incredulous manner, that he would keep it until the gentleman came for it. And now begins a controversy with one of the three gentlemen, a certain Mr. Curtis, as to the amount of personal baggage which a passenger is entitled to place about his person when he is sitting in the same seat with another passenger, the remarks of Mr. Curtis being, according to one version, insulting—according to another, "polite, but somewhat pointed." At any rate, when the fourth gentleman, for whom the seat has been reserved, appears, Mr. Churchill rises to leave the scene of the dispute, telling Mr. Curtis, "in a low tone," that if he had ever seen a gentleman, Mr. Curtis cannot with justice be called one. To this "somewhat pointed" remark the latter replies by doing what he himself has since described on the witness-stand as "taking hold of his nose and turning it in a moderate and quiet manner." We pause here for a moment, and consider what, in another age, the person so attacked would have done; afterwards, let us proceed to the consideration of what Mr. Churchill actually did do.

The position which the nose has occupied ever since the capture of Constantinople by the Turks as an instrument of revenge, would offer to the philosopher a various and interesting subject of study. The fact is of course undoubted, but the explanation has never been given. The prominence of the feature in question furnished a partial but not a complete solution of the problem. *A priori*, we should be inclined to think that the peculiar sense of indignity which even the most moderate and quiet "turning" has till lately been supposed to generate in noble minds, was caused by some original instinct, implanted in the human breast by Providence for its own good purposes. But then, if that were so, we should expect to find in the history of Greece and Rome, and the earlier Eastern nations, some trace of the existence of that instinct. And yet there are no recorded instances of its manifestations. To be sure, this may be explained by saying that in those early days the simplicity of mankind had as yet prevented them from discovering what a wealth of insulting revenge the organ in question brought, as one may say, within every one's reach. Of course, there must have been a time when it first occurred to some one to pull the nose of some one else. But the whole subject is involved in obscurity, which we are unable to fathom. At some future day we may return to it. For the present, we merely call attention to the fact that from the destruction of the Eastern Empire down to the fall of Richmond, the man who had his nose pulled was always regarded as affording to the disinterested spectator a ridiculous spectacle, and that he who succeeded in pulling the nose of another was always regarded as one who had succeeded in trampling under foot the tenderest feelings of humanity. Had Mr. Churchill been an aristocrat of the feudal period, under the circumstances in which he now found himself he would have drawn his sword and run his adversary through, or got himself run through. Had he been a Roman, we are unable to say what he would have done, because, as we have already suggested, the method of revenge adopted by Mr. Curtis was unknown to the Romans; but undoubtedly something terrible should have

taken place. Being, however, a very different character from either Roman or aristocrat—being, in fact, an altogether new kind of man; that is, the “modern man”—he adopted a very different course from the effete practices of a bygone time. As soon as he felt that the deed was accomplishing itself, he turned upon his foe and remonstrated with him for using violence in the presence of ladies. It is true that, according to one version, he aimed a blow at Mr. Curtis's head. But, according to his own testimony, the line of defence adopted against the most direct insult which the ingenuity of man has yet discovered, was that of Christian expostulation.

There are those who say that this meekness may be explained by the assumption that a truly progressive man does not know when he is insulted; or, in other words, that you *cannot* insult a truly progressive man. Let us say here, by the way, that our conviction that Mr. Churchill is a truly progressive man arises from two facts proved subsequently on the witness-stand: first, the fact, already mentioned, of his taking a vacant seat immediately on receiving information that it was engaged; and, secondly, his Christian demeanor when taken hold of by Mr. Curtis—determination, combined with meekness, being the characteristic trait, as all our readers will admit, of the truly progressive. Yet this explanation will hardly answer, for it is after all only stating the difficulty in another form. Why is it that the really spiritually radical are impervious to insult? For it is only the radical. The aristocrat of to-day, whether impetuous Southern or calm Northern blood flows in his veins, is just as sensitive as he ever was. Witness the revenge taken upon Mr. Grenville Murray in England by Lord Carrington. Mr. Murray had merely published a few “reflections” on Lord Carrington's father—such as a dozen progressive papers in this metropolis of ours are publishing every day—on which Lord Carrington straightway seeks out Mr. Grenville Murray and thrashes him. And in France, where the traditions of aristocracy still hold, the duello is invariably resorted to as the only means of wiping out editorial insults. How interesting it would have been, in view of these facts, if Tocqueville could have devoted a small portion of his great work to the discussion of the Influence of Democracy on Sensibility to Insult! For it may well be argued that the insensibility of which we see so many instances about us is the result of equality of condition. “In a society,” if we may imagine what Tocqueville would have said on this subject,—“in a society in which a few men are placed above the rest, and look down as from a vast height upon their fellows, the isolation of their position breeds a feeling of superiority which we commonly call pride. There grow up two codes: one, a code of equality, arranged to meet the needs of the aristocracy in the relations of its members to one another; the other, a code of superiority, arranged to meet the necessities of the relation of lord and vassal. If, now, one of the dominant class infringes the code of equality by using methods of treatment among those of his own class which he had only the recognized right to use towards his inferiors, his equals feel that he does this because he wishes to imply that they are really beneath him, and that he has the right to treat them as if they belonged to the lower order. What deadlier wrong could he do than this? Aristocrats are treated as if they belonged to ‘the people’—in other words, they are insulted. On the other hand, in democracies there is no room for such feelings to arise. When each man considers himself as good as his neighbor, and there is one code of manners common to all, it is impossible that insults should be felt as they are in countries where they imply an attempt to degrade. All now are on one level; there is no inferior class into which submission to degradation would lower a man. Consequently, insults are felt to be mere words, and beneath notice. Insensibility to insult grows up, and what was in former times regarded as grievous insolence, is received at length with indifference or contempt. And it is soon found that insults can be returned with great ease—a discovery which generates the really democratic practice of ‘an equal chance.’ When each man has an equal chance to insult with every other, he can no longer complain that he is defrauded of any substantial right.”

Correspondence.

THE INFLUENCE OF SEX ON CHARACTER.

TO THE EDITOR OF THE NATION:

SIR: In a review of Mr. Mill's “Subjection of Women,” you suggest a possible weakness in his argument, because he affirms that the only way of getting at a knowledge of the present difference between the two sexes is by means of “an analytic study of the laws of the influence

of circumstances on character,” a work which you truly say is “in its nature almost impossible of accomplishment.” But the point that Mr. Mill intends to make, I think, is this: that while this study is possible to a certain extent, as has been repeatedly proved in the case of men, it has never been attempted in the case of women; and not only so, but “even the preliminary knowledge, what the differences between the sexes now are, apart from all questions as to how they are made what they are, is still in the crudest and most incomplete state.” And he goes on to show that the reason why this preliminary knowledge is wanting, is that these circumstances, always so powerful in moulding character, have actually sealed the lips of woman herself, the only competent witness in the case.

And herein, I conceive, lie the originality and force of his whole argument. In the case of men, their functions and occupations are generally of their own choice and bear a certain relation to the public, while their own interest and the demands of society are continually inviting them to the fullest assertion of themselves in all directions. The precise opposite of this has been true in the case of women, and not until they have for a long time lived under similar circumstances of entire freedom and invitation to self-assertion can their real nature be fairly estimated.

There is no proposition in the whole book to which thoughtful women will more fully respond than to this; and those of them who, in self-sacrificing devotion to the well-being of the race, have ventured to brave public sentiment in advance of their time, can testify to the existence of a deep-rooted prejudice against every assumption by woman of any function which brings her as an independent and thoughtful and self-asserting being before the public.

In the State of New York there lives to-day a finely-educated and cultivated woman, who, with one fellow-worker of her own sex, has obtained an entire alteration of the laws of the State with regard to the rights of married women to their property and their children, securing to them in great part that justice which is still withheld in most of the States of the Union. But who has ever counted the cost to her of this so great gain to all her sex, or dreamed of the self-renunciations by the way? To be counted a “coarse, obstreperous woman, with whom sensible wives and mothers can have no sympathy,” and to be publicly stigmatized by press and pulpit, has been the least of her trials; that her children, to whom she has always been a most exemplary and faithful mother, should have been thus cruelly wounded through her, one may easily understand, has been the bitterest drop in a bitter cup.

I do not see that Mr. Mill makes any positive assertion of the “equality of woman with man in capacity,” and few women care to settle that question at present. They simply claim with Mr. Mill that no restriction should be placed on the full play of her faculties and the free enjoyment of her rights. When this has been conceded for a hundred years or so, it will be in order to make comparisons, but not before.

In closing, you say woman's present position “cannot be really and permanently improved without treating her maternal function as her principal and highest one, while making ample provision for the happiness and activity of all those who are prevented by either inclination or fortune from undertaking it, or who are conscious of the possession of gifts of more value to society and the owner in other departments than that of rearing or educating children.”

Nothing truer than this was ever uttered on this question, and there is no mother in the land who will not respond Amen and amen. This is the foundation underlying the whole appeal for suffrage. Give us, say the mothers, the right to protect ourselves and our children—we ask nothing more; we shall be satisfied with nothing less. And how reasonable is this asking may be inferred from a consideration of the nature of the female sex, whether among the lower animals or mankind. The highest instinct of this order of beings is that of desire for offspring and the affection which protects and nurtures it. Unconsciousness of self, devotion to her young, is the token of motherhood from the tiniest bird in the nest to the savage lioness of the wilderness: the tender grief of the one and the fierce rage of the other over her despoiled home are matters of history since time began, and in them both are typified the true nature of the diviner mother—of her whom God created in his own image.

If this be so, some one may ask, why has woman so long consented to her own subjection? and the answer is plain. During the long, dreary reign of force, she herself needed protection in her function of maternity, and, with that utter unconsciousness of self which is essential to the true mother, she accepted with thankfulness the protection of the strong arm and powerful will of man, little heeding that she was all the while forging chains for herself. Hence it is that she is emerging at last from

this personal subjection a truly noble being; defective, it is true, as all partially developed natures must ever be, but with the crown of unselfishness upon her brow.

What saith the Master upon this point? "He that is greatest among you, let him be servant of all." "Except ye be converted, and become as little children, ye shall not enter into the kingdom of heaven." Who has ever fulfilled these conditions of humility as the mothers of the human family?—and by this token the world has consented to their crowning.

But in the fulness of time it has come to pass in all civilized lands that power belongeth unto the active brain, and no longer resides in the strong right arm; and these mothers, rejoicing in this millennium of peace, and considering in their heart of hearts the welfare of their children, discover that they themselves have not been duly considered in the organization of the state and the customs of society, and that they are thus shorn of power to protect either themselves or those dearest to them. They find, too, that not only have they and their daughters been set aside in the economy of affairs, to the cramping and belittling of their intellects, but that fathers and sons have lost ground morally by this long assumption of power, till they no longer entertain the idea of managing either the family or the state on the Christian plan of truth, justice, and love, but are drifting hither and thither on the waves of moral and political expediency. By their very instinct of motherhood, then, they are moved to stretch out a saving and reclaiming hand, and to offer whatever of wisdom and moral strength they may have gained in the sanctuary of home for the help of all. And that they are not aroused a moment too soon is apparent on every hand. How deeply wrought into the mind of every young boy is the sense of his supremacy—of superiority of some sort over the mother who bore him and the whole order of beings whom she represents! How ineradicable in the young girl the idea that she has no power of self-maintenance, but must look to another for food and raiment and the guidance of her daily life!

To my mind there is but one remedy for so serious defects in both sexes. Our daughters must be trained to large responsibilities both in the family and the state, that they may no longer be borne down by a sense of inferiority and subjection, and our sons must be taught to accept as sharers of their political power and responsibilities those whom they have so long, to their own great loss, looked upon only as dependents, or as helpers and associates only in the narrow limits of domestic life.

Let us discriminate. A woman with fine brain carefully disciplined by study and early assumption of all human responsibilities, of rich physical development, the result of intelligent exercise of every bodily function, will be no less a wise and happy mother than if she were cramped in soul and body by a humiliating dependence upon man. And a man who has from youth up associated with such women on terms of perfect equality will be no less a wise father and a good citizen that he has acquired thereby the feminine virtues of personal purity and self-abnegation.

You will perceive, then, that in my view sex does influence character most seriously, but not in the way to make a state of subjection in accordance with the higher nature of woman; on the contrary, to protect is her divine mission, and to command obedience through the power of a great love. The comparison of "a woman's position and that of other subject classes" is therefore eminently fair to my mind, or lacks fairness only because, whatever else her sex may indicate, there is not in her own consciousness a suggestion of fitness for subjection other than that commanded by the Apostle Peter, "Yea, all of you be subject one to another, and be clothed with humility."

ISABELLA B. HOOKER.

[Mr. Mill says the difference between men and women is no greater than the difference between patrician and (male) plebeian or seigneur and (male) serf would have been had the plebeian and serf been educated as woman has been. This is certainly an assertion of equality of capacity in the sexes.—ED. NATION.]

Notes.

LITERARY.

MESSRS. LEE & SHEPARD, it is known to our readers, have in preparation a complete edition of the "Works of Charles Sumner." The first volume is nearly ready, and contains matter that takes us back to 1845, before Mr. Sumner was known outside of Cambridge and Boston. The

first article in the book is to be the essay or oration on "The True Grandeur of Nations," which was delivered in 1845 on the Fourth of July, and praised peace, if we remember, and made a comparison, which got into all the school-books, between the cost of supporting a college and supporting the line-of-battle ship *Pennsylvania*, which was then aground on her own beef-bones—and training seamen, let us hope, for Farragut and Foote. Other speeches and articles—reminding one of Faneuil Hall and the columns of the old Boston *Advertiser*, and of "the wrongful annexation of Texas," and of the Mexican war, when Hosea Biglow began to delight the faithful and disgust Caleb Cushing and "The Unterrified," and of the beginning of anti-slavery in Massachusetts, and of the Phi Beta Kappa Society, and other ancient events and people that caused much speechifying in their day—bring us down to the twelfth title of the first volume, namely, "White Slavery in the Barbary States," which is "a lecture delivered before the Boston Mercantile Library Association in the Tremont Temple" in the winter of 1847. On the whole, we may expect to find the next volume, or the next but one, of rather more interest than this one. The last of the series is to contain a life of the Senator, we believe.—Messrs. Little, Brown & Co. announce the fourth volume of Mr. Francis Parkman's set of works relating to American colonial times. "The Discovery of the Great West" is the title of it, and it embraces the exploits of the first European explorers of the Valley of the Mississippi, the efforts of the French to secure for themselves the whole interior of the continent, and the life and projects of Le Salle, and his violent death. The work is founded entirely on contemporary documents, and how the superstructure is built no one needs to be told who knows Mr. Parkman's "Conspiracy of Pontiac," "Pioneers of France in the New World," and "Jesuits in North America."

—Messrs. Hurd & Houghton are out with their autumn announcements, which include some very attractive and some valuable works. They will publish, in one volume octavo, Mr. James Jackson Jarves's "Art Thoughts; being the Observations and Experiences of an American Amateur in Europe." We have mentioned before, we believe, the "Contributions Relating to the Surgery of the War"—which, published at the order of the Sanitary Commission, is to be edited by Dr. F. H. Hamilton. The hygienic and practical aspects of our military surgery are those which Dr. Hamilton has kept in view. "The Heart of the Continent" is by Mr. Fitz-Hugh Ludlow, and describes a journey to Oregon across the Plains. "A Chaplet of Leaves," by Jeanie T. Gould, may be poetical or botanical; "Among the Trees," by Mary Lorimer, is very likely both—being "a journal of walks in the woods and flower-hunting by field and brook." "Concerts and Caprices" is from the French of "Bluertes et Boulardes," and will appear in what is known as the "bijou" form. Mrs. Emma C. Embury's poems, now first collected; Mr. William Wilson's, edited by Mr. B. J. Lossing; and a "Lady of the Lake" illustrated by Darley—are all the poetry that we observe in Messrs. Hurd & Houghton's list, unless we except "Hymns for all Christians," containing "the cream of hymnology," skimmed off, as our ancestors would once have said, by Dr. Charles F. Deems and Miss Phoebe Cary. It is designed to take only hymns which have always, since they were known, been universally acceptable to the church in general. Possibly, among the verses, we ought to put Mr. Edward Hopper's "Old Horse Gray;" for the catalogue which we have received is not seldom indefinite in its descriptions, as is apt to be the case with American catalogues. "An American Family in Paris" seems to be partly of the nature of a book of travels and partly of the nature of an illustrated guide-book. The number of Messrs. Hurd & Houghton's "juveniles" is not very large, but it seems to contain several good ones. "Two Lives in One," by Vieux Moustache; "White and Red," a personal narrative of life among our Northwestern Indians, by Mrs. Helen C. Weeks; "William Gay, or Play for Boys," by Mr. Jacob Abbott; "Ting-a-Ling," a fairy tale, by Mr. F. R. Stockton; "Country Sports and Scenes"—which is twelve illustrations by Mr. Herrick, accompanied by descriptive letterpress; a complete revised edition of "Mother Goose's Melodies," illustrated by Mr. H. L. Stephens and Mr. Gaston Fay, who does the ten smaller designs while Mr. Stephens does the eighteen full-page pictures; "Stories from my Attic," by the author of "Dream Children;" "A Little Boy's Story," translated from the French of Julie Gouraud by "Howard Glyndon;" "Dame Nature," from the French of X. B. Saintine, and—the best at the last—two volumes by Hans Christian Andersen, with revised translation and new pictures, in addition to some of the popular German ones. The "Wonder Stories told for Children" are contained complete, and now first complete in English in the one volume, and "Stories and Tales" likewise now first complete—in the other. Besides these, we are

to have for older readers the same author's "Improvisatore" and "Two Baronesses." An early specimen of the former which we have seen promises a very handsome series—to consist in all, we believe, of eight volumes.

—Some months since the Prison Association of this State sent out to various sociologists—such as Mr. F. B. Sanborn and M. Bonneville de Marsangy; to various men—such as Warden Haynes and Sir Walter Crofton—skilled in the practical management of prisons; to various officials—such as Governors of States and Commissioners of Public Boards of Charities—a circular containing two resolutions, to the effect that it is expedient to hold an International Congress on Prison Discipline, which shall be composed of delegates commissioned by the several States of the Union, by the Dominion of Canada, and the governments of Europe. A great many replies have been received by Dr. Wines, the corresponding secretary of the New York Prison Association, and all of them but two have been very favorable, and only one of them opposes the project. That the result would be valuable we make no doubt. Such a Congress would, as some of the correspondents suggest, do great good if only by attracting the attention of the people, and thus assisting those who have been trying to enlighten public opinion. Let the Governor of the State of New York, for instance, appoint a commissioner who should be capable of intelligently reducing the voluminous reports with which such a Congress would no doubt cover itself up from the popular eye, and who should be able to make a brief, plain, weighty report of his own, which a St. Lawrence County legislator could understand, and ten years from now we should not have a grand jury in all the State that would think of proposing, as our Bedford grand jury did the other day, a return to the cat, strait-jacket, and shower-bath as the normal instruments of turning prisons into reformatories. The mere expense to society of operating a system which supposes the dangerous exceptional cases, the costly cases, to be the cases which should furnish the general rule of management, is alone a condemnation of such a theory, which, however, is moribund, and on which it would hardly be worth while to expend words, if it were not that such things die slowly, and that it is for everybody's interest, the taxpayer's as well as the moral reformer's, that it should die at once. Our Bedford grand jury, by the way, proposed a return to the cat in a prison which has long been the prey of politicians, who have made it a burden to the State and a storehouse of future criminals, and who are themselves so rascally in all ways, that one of its honest officials declared not long ago that he believed it was only out of consideration for the comparative decency of the criminals that God did not destroy the building with fire out of heaven. Presumably the cat is not of necessity the only choice to which we are restricted in this case.

—The hasty drawing of right conclusions ought to be almost as displeasing to the strictly scientific mind as the hasty drawing of wrong ones. At the least, it always gives a little shock to the observer of it to see the scientific man making haste to conclusions, and getting heated by the way, as he often does—oftener of late years, since the men of science become so excellently well satisfied with themselves that one is almost minded to pity their arrogant ancient opponents. It is bad to be a Scotch elder demonstrating that from all we know of the nature of the Adversary of Souls, and from all we know of Genesis, nothing is more probable than that fossil remains, stone implements, lake dwellings, and the like, may have been fabricated in hell, and scattered up and down the world by devils out of spite toward the cosmogony revealed to us in the Scriptures, and out of envy at the prospect of fallen man's future glory. But if this is bad, neither is it good to be an epigrammatic geologist, pouring contempt on mathematicians for daring to offer remarks on the physical sciences; nor to be a mathematician, in a rage with the geologists; nor to be some other scientist, demolishing the feeble theories of all other scientists, till at last, if we want any "sweetness and light," it is to the poor, despised transcendentalist that we are almost forced to turn. These remarks are suggested by an article on the "Rochester Knockings" in the last number of Dr. Hammond's *Journal of Psychological Medicine*; but they were only suggested, and are not offered as being at all fully applicable to that essay, which is good-tempered, and which reaches its immediate conclusions by slow and plain steps. But suppose the Rochester knockings were a humbug, the inference that spiritualism generally is a delusion does not follow of necessity, and might better have been spared. We are not going to deny that, so far as we know about it, spiritualism is "unimportant if true;" but to say that some of the phenomena are not as yet inexplicable—or, at all events, unexplained—seems to us to be going against a vast deal of evidence of the highest class,

which we never should think of rejecting if it were offered about an ordinary matter. Some of it, too, is evidence from what the Spiritualists call "sceptics," and hardened ones at that; and the cloud of witnesses is great. Probably every man in the country knows some perfectly honest relative or friend—and a good many thousand men know some friend perfectly honest and of high intelligence, and of a sceptical turn—who has seen dozens of things done at private *séances* which would not be explained even though we accepted in its fulness Dr. Flint's explanation of what happened in Rochester eighteen years ago. Another noticeable article in this number of the *Journal* is a translation by Dr. Dunster of an essay from *Le Correspondant*, which makes a presentation and a critique of Virchow's and Claude Bernard's doctrines in regard to the nature of life. A clever article, and one adapted to popular comprehension, is Dr. H. B. Baker's "Thought as a Form of Force." Then there is an essay—not too close to the subject—on "Pleasure;" two or three strictly technical articles—one of them by Dr. Jeffries Wyman; a good many pages devoted to the usual reviews of medical works; and the "Chronicle," devoted to the physiology and pathology of the brain and nervous system, and to medical jurisprudence. We may, perhaps, again refer to the "Project of a Law Relating to the Insane," which was drawn up after a great deal of discussion by the superintendents of asylums at their late meeting, and which is worth the attention of lawyers and physicians.

—The smallness of the classes in the Divinity School of Harvard University has for some time been a source of regret on the part of the Unitarian community in all its branches, from the evangelical branch away over to the liberally eclectic. And this partly, we suppose, because each "liberal Christian," knowing that the course of instruction affords very great scope for independent study and thought, unbiassed either by instructors or text-books, believes, as he is bound to believe, that a course of study in the school is quite as likely to give him converts as to give them to any other of his Unitarian co-religionists. The course certainly does afford free scope; and seems rather to offer the opportunity for critical scholarship in theology, ancient and modern, than to propose the teaching of dogmas of any kind. As the constitution of the school declares, it is the purpose of the institution to give every encouragement to the serious, unbiassed, and impartial investigation of Christian truth, without requiring from instructors or pupils any assent to the peculiarities of any denomination of Christians. In another respect, the school has a liberal air, and that is in the large provision which appears to be made for lightening the pecuniary burdens borne by the student. The Hopkins Fund is divided among six students, and gives to each of them three hundred and fifty dollars, or thereabouts. "The annual income of the other funds," we are told, "will allow about \$200 to each beneficiary, according to the number of applicants"—a statement which is not very definite; but, doubtless, the fact is that the whole number of students is expected to be so small that no probable number of beneficiaries will be able to reduce the share each one may get. In addition to all this, assurance is given that in special cases assistance can in all probability be got from other sources, so as "to enable the most necessitous to defray the estimated expenses." Class-books are lent to scholars who cannot afford to purchase. The sum of about three hundred dollars covers the necessary expenses of a year, both those for rent and tuition and for board. The conditions of admission are easy. Bachelors and Masters of Arts are admitted without examination; all others after an examination in rhetoric, mental and moral philosophy, and the ordinary branches of an English education. The studies in which one must pass a satisfactory examination include Hebrew, Greek, Latin, and German, Church History, History of Ethnic Religious Literature, the Exegesis of the Bible History, the Grounds of Opinion in Natural Theology and Christian Doctrine, and the other usual studies of a theological seminary.

—To excite public interest in the "physical character, the languages, the civilization, and the religions of the various peoples" under the dominion of Great Britain, the London Ethnological Society has determined on holding a series of meetings, at which each one of the British possessions shall be taken up and described in turn. A beginning has already been made in the case of India, whose ethnology and archeology are treated of in several instructive papers that quite fill the Society's *Journal* for July, leaving more yet to come. One of these, by Major Fosberry, "On Some of the Mountain Tribes of the North-West Frontier," appears to have been suggested by the author's apprehension of a Central-Asian collision between Russia and Britain, and takes the position that "these mountains are our national frontier and defence; these tribes are those who ought to be, not merely neutral spectators of what is to follow,

but heart and soul our allies offensive and defensive. At this moment it is but the dread of some fresh imbroglio that keeps their hands from our property, and their swords from our throats." These people, who might possibly thus hold the balance of power in case of an invasion of the British rule, are highly complimented in the sequel for bravery and other manly qualities. A small portion of them, who live on the lower hills, resort to plunder for subsistence, and even "pass the new-born infant through a hole dug in the wall of the dwelling, saying over him three times, *Ghal Shab*, or, Be a thief. It is they who, being at one time in difficulties, owing to their having no shrine of their own, and being unwelcome at those of others, lay in wait for a holy man proceeding to Cabul, murdered him in the Khyber, buried him in their lands, and to this hour pay their devotions with much satisfaction at the *ziarut*, or place of pilgrimage, thus improvised and thus consecrated." There are in these papers, besides this exquisite bit of superstition, abundant proofs of the fact that India contains almost every degree of human condition to the lowest and most primitive, and offers perhaps the richest area of investigation to which the ethnologist can apply himself. How recent this science is, is well remarked by Colonel Meadows Taylor, when, referring to the "minute topography of the great trigonometrical survey department," he expresses his wonder that "discoveries of prehistoric remains were not made. In the details of that great work, which were minutely laid down on the very large scale of four inches to the mile, in the filling up of lesser triangulations by plane table-work, every rock has found a place, every streamlet and brook has been traced to its source, and the positions of remarkable trees, temples, tombs, and ruins accurately described; yet the very notable groups of cairns, cromlechs, and other cognate remains, over which the surveyor's marks have passed, were never, to my knowledge, noticed at all."

—A field which the woman's-suffrage advocates might work to advantage is the history of the marriage institution; but it must, of course, be worked in a scientific way. Such is not that chosen by Mr. E. J. Wood (who aims merely to satisfy omnivorous and not specially intelligent curiosity, and not to throw light on a grave social question), in his "Wedding-Day in all Ages and Countries." There is neither science, nor method, nor authority behind his too pretentious title, though the contents of the book may perhaps lay claim to being authentic. A pioneer of the true sort, who may serve as an example to others, is Professor A. De Gubernatis, who has just published "*Storia comparata degli usi nuziali in Italia e presso gli altri popoli Indo-Europei*" (Milan: E. Treves & Co.) This little work briefly describes some of the nuptial usages formerly in vogue in the several provinces of Italy, and then compares them with those of foreign nations, and particularly of India. The author's plan has been to treat his subject in a popular style, while inspiring confidence in his statements by copious references on every page to original sources. It follows, of course, that he has not exhausted, even for Italy, the materials for a purely scientific discussion, and on the other hand he is said to have handled his theme with becoming delicacy. The author of a "History of Sacerdotal Celibacy" should be able to take an authoritative part in these researches.

—An able French writer—well known by name to Americans, and, like many other able French writers, not so well known to Americans by his works as he should be—M. Eugène Forcade, is the subject of a piece of news which his admirers will be very glad to hear. Like almost every other celebrated literary Frenchman, Forcade is anti-Bonapartist, and in his case hatred of the Empire springs from a sincere belief in popular institutions. In 1868, after the cession of Venetia, when the remains of Daniel Manin, the Italian patriot, were transferred to the city which he had ruled and defended during its brief period of freedom, Forcade went on to Venice to be present at the ceremony, and while there was prostrated by sunstroke, and on recovery from the immediate effects of this misfortune gave plain evidence of unsoundness of mind, of which, indeed, there had been some slight suspicion before. He has not since done any mental labor—the Civil Tribunal, at the instance of his family, having taken cognizance of his case, and issued an order in lunacy. He soon began recovering, and so long ago as last spring applied for a revocation of the order—which application was, however, not successful, his father objecting that the supersession would be premature until after it had been seen how the son's brain endured the heats of summer, from which he feared there might be ill effects. This ordeal having now been safely passed, M. Forcade has within the month been declared sane—his father making no objection—and probably the *Revue des Deux Mondes* has one of its most brilliant contributors restored to it.

THE WEST OF FIFTY YEARS SINCE.*

THE curiosities of the colonization of the United States are too familiar to us to seem so curious as they really are. The romance of the settlement of new countries and of the gradual invasion and conquest of the forest primeval and the aboriginal savages by civilization, is not yet far enough removed from us to take upon itself its full romantic character. Yet, when we compare the present condition of populous regions and wealthy cities with what it was within living memory, there is something in the change which makes a lively impression on the imagination. The "Recollections" of Mr. H. M. Brackenridge will be found to possess this interest in a particular degree, from their having to do with scenes and societies, in their earlier parts, which have not found their way as yet much into books. It is odd to think that one yet living, and not much past fourscore, should remember Pittsburg before it was christened, when it was only known as the little straggling village of Fort Pitt, and should recall an alarm of Indians there, and the running to and fro of the people in the night because of it; and that he should have been where Cincinnati is now some fifteen years before the Queen City was born, and when the ground whereon she now sits in state "was covered with vines and lofty trees."

Mr. Brackenridge was born at Fort Pitt "about the year 1786," as he tells us with an indifference to his chronology which is a defect throughout his book. His father was a lawyer, a graduate of Princeton in 1771, in the same year with Mr. Madison, and the first in college rank, while the future President was the last, as he himself once told the author in the White House. Mr. Brackenridge the elder attained local eminence, and became a Judge of the Supreme Court of Pennsylvania. He was not a fond father to his motherless boy, nor yet a judicious one in his early attempts to drive the child along the thorny paths of knowledge. One sensible thing he did in that direction. Finding that the boy had picked up Pennsylvania German on a visit to the family of his second wife, he resolved to send him to one of the settlements of what was afterwards the Territory of Orleans to learn French. The description of the voyage down the Ohio and Mississippi in the age of flat-boats is very curious and entertaining, though too short. And the same may be said of his account of the French village of Ste. Geneviève, situated a little way back from the river, in what is now Missouri. Mr. Brackenridge's story of these simple, worthy folk is really idyllic, and would make no unworthy pendant to the tale of the good peasants of Grand Pré in Acadie. Evangeline might well have rested there forty years before from her sad quest of Gabriel, and found herself at home. We wish we had room to quote his account of their simple ways, their comfortable cottages, their gardens, and orchards, and excellent cookery, their piety, their church processions, their Sunday balls, at which the minuet was the principal dance, and their mutual politeness. Think of a community where "peltry, beaver-skins, and lead constituted the chief circulating medium," and where "all politics or discussions of the affairs of government were entirely unknown," the commandant taking care of all that.

Here "le petit Anglais," as they called him, spent three happy years, learning French and forgetting English. Besides their tongue, the good M. and Madame Beauvais taught the little boy, in his own words, "to reverence my parents, to respect the aged, to be polite to my equals, and to speak the truth to every one, . . . to restrain my temper, to practise self-denial, to be compassionate to man and beast, and to be thankful to God for every blessing." No bad education for the child of a Presbyterian lawyer to receive from Catholic peasants. Thence he had an interesting voyage homeward, stopping for near a year at another French settlement—Gallipolis—inhabited chiefly by artisans from Paris and Lyons; "carvers and gilders to the king, coach-makers, friseurs, and peruke-makers;" warm royalists, all of them, utterly unfitted for their new home, and, notwithstanding two balls a week, far less happy than the contented peasants of Ste. Geneviève. Mr. Brackenridge's description of this settlement and his worthy host, Dr. Sangrain, innkeeper and physician—Dr. Slop in size and Dr. Sangrado in practice—is very good; and, should an enlarged third edition ever be called for, we beg the author to enlarge the portions relating to these French villages, if his recollections furnish the material, as this phase of our many-sided infancy has entirely passed away, and will soon be entirely forgotten. Some fifteen years afterward he revisited these places, and found Gallipolis Americanized and spoiled, and the French dead or dispersed. Ste. Geneviève remained unchanged, excepting as the hand of time had worked on the worthy inhabitants. The

* "Recollections of Persons and Places in the West. By H. M. Brackenridge, a Native of the West; Traveller, Author, Jurist." Second Edition, enlarged. Philadelphia: J. B. Lippincott & Co. 1868.

little girl he had left three years old was to be married that day; and the good Madame Beauvais entreated him to make her loss good, and to make it his home with them. "*Restez, Henri, restez avec nous!*"

The whole book is very readable; but these sketches of the French communities, so curiously preserving their national characteristics under such strange surroundings, have seemed to us the most attractive parts of it. Mr. Brackenridge's account of his education after returning to Pittsburg, and of his childhood and youth there, are not without the interest which belongs to any simple and natural details of the early life of any human being. It may be a question whether his classical strugglings under his father were the worse purgatory to the teacher or the pupil; but the English studies which relieved those agonies—"Don Quixote," "Gil Blas," "Tom Jones," "The Vicar of Wakefield," and the *Spectator*—must have made some amends to both. His education was mainly private, and he seems to have scrambled into a good deal of miscellaneous knowledge of books and of languages. We cannot follow him in his various removals in search of practice after his admission to the bar. His account of himself ends about the year 1820; but we infer, from what he takes it for granted that his readers will know about him, that his career was a useful and honorable one in public and private life—as to the particulars of which, however, we are forced to confess our ignorance. Indeed, the provincial and ephemeral nature of American reputations—especially of professional ones—has been brought afresh to our mind in reading Mr. Brackenridge's book. Of the eminent lawyers whose characteristics he describes—men of real learning and ability, stranded on obscure country towns or fresh-water cities—how many are now remembered even within the narrow bounds in which they once predominated? How many were ever heard of outside of them while they lived? His father appears to have been eminent in his day and his State, and to have been a man of legal and general knowledge, and of some pretensions to authorship. He wrote a novel, as we suppose, entitled "Modern Chivalry," which, his son informs us, is "a work second only to that of Cervantes in the seasoning of genuine wit sprinkled over the surface of true philosophy!" But the worthy judge has gone to join the brave men who lived before Agamemnon, and his works have followed him.

We are indebted, however, to our author for lifelike sketches of some celebrities who have passed into general history, and whose names one should be ashamed not to know. Notably, Judge Samuel Chace, Robert Goodloe Harper, Luther Martin, and William Pinkney. There could not be a greater contrast than between these last two great men. Martin was slovenly to filthiness; his countenance heavy, his voice thick and disagreeable, and his pronunciation uncouth. Yet "he had the finest capacity for discrimination and analysis"—"wit, philosophy, a prodigious memory, and unsuspected stores of learning." In speaking, "he seemed to blunder along for an hour or two—nothing could be more confused and obscure. It was in his recapitulation that he was great. He became warm, his language more happy, his leaden eye seemed to kindle, and for fifteen minutes or half-an-hour he spoke with admirable force and power." His great powers, unhappily, were clouded by gross and habitual intemperance. He is best known to the general reader by his admirable defence of Judge Chace on his impeachment, and to anti-slavery men by his bitter diatribes against negro slavery in a slave country. Here is the description of Pinkney as he came into court: "He was dressed and looked like a mere Bond Street loungeur. His hat, beautiful and glossy, in his hand; his small rattle tapping the crown. He was dressed most carefully. His coat was of blue broadcloth, with gilt buttons; his vest of white Marseilles, with gold studs, elegantly fitting pantaloons, and shining half-boots; he was the polished gentleman of leisure accidentally dropped down in a motley group of inferior beings." Pinkney, though immensely laborious, and of great capacity for labor, had the weakness to wish to be thought to improvise his most elaborately prepared efforts by the mere force of genius. We wish we had room for Mr. Brackenridge's picture of his personal appearance, which is the most vivid we remember to have seen. We imagine it is the best ever made. This is his description of the delivery of the American Erskine—probably the greatest forensic orator the country has ever produced: "When he began, his tones were low and even plaintive. As he proceeded, his musical voice gradually rose with the subject. There was an occasional swell and then a lull, with but little gesture or effort. The distinctness of his articulation was remarkable, and free from all theatrical rant or fury. His voice was not of the clear, ringing kind, which often draws off attention from the subject, but rather the softened sound of the piano when the pedal is applied. The words and sentences seemed to flow into each other in perfect harmony, but rising or falling or

changing with the subject, still retaining an irresistible hold on the hearers. No one stirred; all seemed motionless, as if enchained or fascinated, like persons entranced." And this very speech, which Pinkney assured the court he was unprepared to make, the author overheard him rehearsing in the woods the day before! But we can afford no more space to this pleasant book, further than to say that we began it for criticism, and continued and ended it for pleasure.

A LITERARY VETERAN.*

MR. NEAL recollects very well the days when "Paul Allen was at the zenith of his glory." Mr. Allen had not then written his "Noah," to be sure; but he had "been declared by Mr. Jefferson himself, after the publication of 'Lewis and Clark's Tour,' to be the very best of our American writers." It was at this same time that Mr. John Pierpont "was acknowledged by common consent for the leading poet of America," and that the famous Mr. Simpson divided with Doctor Watkins the credit of being the first of American critics. And Mr. Neal having been not merely among these men, but having been also of them—he was "A." of the *Portico*—assuredly may be called A Literary Veteran. Indeed, to remember Simpson, and Watkins, and Allen when at the height of his fame, might give one a colorable claim to be Professor Huxley's, or somebody's, pre-Adamite man, or a saurian, almost. Just at the point of time we have spoken of—the time closely following the publication of "Lewis and Clark's Tour," Mr. Neal had himself produced both poetry and criticism which entitled him to rank with the best of them. In Philadelphia there was a faction in the literary world which was maintaining tooth and nail that certain criticisms on Byron, which were appearing in the *Portico*, could have been written by nobody but Paul Allen, and another faction were as strong in the belief that nobody could have written them except Doctor Watkins. In reality, they had been dashed off in four days' time by Mr. Neal, then a young man of twenty-three years, without education or previous acquaintance with Byron's poetry. And Mr. Neal assures us that they were good, and that they would be pretty much the same if he were to write them over again. "I was rather astonished at myself," he says—on occasion of looking over these essays again, not long ago—"the opinions I expressed being such as I entertain at this moment, and the language about as well fitted to the subject as anything I have written since. The selections, too, were pre-eminently characteristic of Byron, and, I might say, of myself, and such as I am willing to abide by, for the justification of all I said of that wilful, wayward man, who persisted in sacrificing himself, or rather in throwing himself away, lest he might be overlooked, or forgotten, if he did not keep the whole world in a perpetual *fecce* and fidget and flutter."

Mr. Neal's poetry, also, like his prose, was such as to put him fully on a level, in the opinion of some persons, with those leaders of our literature whom we have already mentioned. Allen emphatically pronounces "Niagara" and "Goldau" "a swash of magnificence," and Pierpont, who was less enthusiastic than Allen, yet used the following strong terms in relation to it: "Oh! I had nearly forgotten to tell you that Neal has published a volume of poetry. It contains two poems of considerable length: one entitled 'Battle of Niagara,' founded upon the battle that was fought during the late war, just by the Falls of Niagara, called the battle of Lundy's Lane; the other named 'Goldau,' founded on a scene that took place among the mountains of Switzerland, which is more particularly stated in the little biographical sketch prefixed to Mr. Buckminster's sermons. The poems are both very great, admirable, astonishing, indeed. He has thrown his whole character into them; and either of them contains more of the greatness and madness of poetry than any other poem that was ever written in America. True, they have great defects, of which I think their not unfrequent obscurities are the most conspicuous. But all the defects are more than a thousand times counterbalanced by the beauties. There are some inaccuracies, but they are nothing to the splendor, beauty, and grandeur of the great body of the poems. They will do him immortal honor, in my humble opinion. He does not publish in his real name, but under his club name of 'Jehu O'Cataraht,' which for his 'Battle of Niagara' is peculiarly appropriate. . . . But the man who has a soul for poetry, and will take it and treat it as it deserves, will be treated in his turn to such poetry as has not heretofore been written in this country; by such poetry, I mean distinctly that the poetry is better, more grand, sublime, and original, than any other American poetry. The 'Airs of Palestine,' as a whole poem, is more cor-

* "Wandering Recollections of a Somewhat Busy Life: an Autobiography. By John Neal." Boston: Roberts Brothers. 1869.

rect and more harmonious; more polished in the structure of the verse, but immeasurably more *tame*."

And this opinion Mr. Pierpont more than confirmed by his after-judgment of his rival's merits. He by-and-by sends him a most enthusiastic and gratifying critique, written by the Rev. Edward Gilman, in Major Russell's paper, and says, in addition to its praises:

"He ought to have given you as decided a preference to Gray as he has to Thomson and Scott. My opinion of the book is chiefly this: that no English poet has, within the same compass, so much poetry; nay, that no man now alive has written so much good poetry as that book contains. Now you know what I think of you. Pity me, if you please, and petition the legislature for a guardian, or the managers of the Pennsylvania Hospital for lodgings; but that is my opinion of Jehu O'Catarract's poems;"

—and there is no doubt that it was.

So we used to go in those old days, when Genial Criticism, unheavenly maid, was young, and worse than she is now, even. Mr. Neal's own estimate of himself—which is to-day as unchanged as the notable judgment on Byron that we have quoted above—is a curious specimen of the sort of opinion which the forerunners of our New York Knickerbocker men used to entertain of themselves and each other—or that they used to express of each other; not all of them were so courageous in expressing their opinion of themselves, nor so honest in expressing only truly the opinions which they held concerning their literary contemporaries, as Mr. Neal always is. He is frankness and courage personified. He never dissimulates the good opinion he has of himself, nor conceals from his reader what must have been the truth as regards his opinion of his rivals—namely, that he thought none of them his equals. He writes of his first novel, which he calls "Keep Cool:" "As for the characters, the situations, and the incidents generally of this, my first novel, I have to say that I think them worthy of great praise; the story itself dramatic, and earnest and plausible, and the language far beyond the trash of the hour; but, then, the jokes, the pleasantries—they are, according to my present recollection, and I must confess that I have not courage enough to look at them again, both tiresome and silly."

These jokes, by the way, were not put in with the author's good-will, but to make the book more captivating to the publishers.

"Logan" is published not very long after "Keep Cool," and Mr. Neal quotes with approval this tribute to the merits of a work which, he says, burst on the world in meteoric fashion:

"'Yes,' said I, as soon as I had put down the book, 'he might as well have placed his name upon the title-page; for every sentence, every line—nay, every thought, idea, phrase, expression—has the living impress of O'Catarract's mind upon it. Logan, a family history! A family! Why, a family of such men as Oscar or Harold would occupy the world entire. Not another name would live in the vast universe; and angels and archangels would once more descend from their celestial habitations to battle with this human family for the mastery of the earth and skies!' etc., etc. . . . In sober truth, my dear N., 'Logan' is one of the most extraordinary productions of the present age. Such is my opinion of it, in the general. In detail, I have many faults to find with it, etc., etc. . . . Yes, yes: no other man could have written such a book."

And Mr. Neal adds:

"Others took it as they took opium or exhilarating gas; and everywhere it was treated as what William B. Walter called it, 'a gigantic phantom.'"

Another of Mr. Neal's novels was "The Spirit of Seventy-six," and when he went to England, not long after its publication, this is what happened to him when he dined with Mr. Griffith's "Sylvanus Urban." The book was talked about, and Mr. Griffith was speaking so highly in its praise that Mr. Neal felt called on to acknowledge the authorship:

"He colored to the eyes; but, after a short pause, added, 'Well, I don't care who wrote the book; what I had to say, I will say, nevertheless.' And then he went on, with all eyes fixed upon him, and glancing occasionally at me, and ran a very clever parallel between 'Seventy-six' and what he called the best of Sir Walter Scott's romances, then in the very zenith of their fame; and wound up with declaring, to my unspeakable surprise, and I might say amazement, that he would rather have written my book than anything Scott had ever produced."

"Of course, I made all proper allowances; Mr. Griffith being a Radical, or at least a Whig, and Sir Walter a Tory to the backbone, dyed in the wool, like some of our leading abolitionists."

And again, in another place, he says of his prose and poetry:

"Poetry—grand, glorious, and beautiful poetry—I have written hereto-

fore, and may write again, before I pass away; and I do think—between ourselves—that much of my prose writing, most of it, indeed, is likely to be read hereafter, and that, on the whole, not a few of my story-books, and stories, and magazine-papers are well worth remembering and preserving. There! that will do for the present, I hope!"

But it is, perhaps, hardly worth while to recur to Mr. Neal's estimation of his own value and the estimates of it which were made by the Watkinses of his day. Still we are not yet wholly free from the influence of them and the like of them even now, and some years more of this generation will pass away and numbers of plants which from the start have never had any hot-house air will have to be raised to maturity, before the principles of unforced, healthy, open-air culture are understood, and before we have literary growths that will fructify and propagate their kind; and to be made to see, as in a magnifying glass, the follies and absurdities of our old-time habits in this matter of critical geniality, will be of help in bringing about the better day.

In all things Mr. Neal showed the same traits of character that he showed in literature, though there were few things to which he turned his hand in which he did not accomplish more. In all things he showed himself vain, boastful, generous when not blinded by vanity and self-conceit, candid, loyal, kind-hearted, and brave quite up to the point of being generally suspected of foolhardiness and a love of quarrelling—a charge which he denies more than once in a sufficiently amusing way, as for instance, on page 65:

"I never went to bed, since I was a boy, with a feeling of bitterness toward a human being; and I never saw the time when I would not have instantly forgiven the worst enemy I had the moment he seemed sorry. And yet I have always been in hot water, and have always had, until within the past few years, half-a-dozen serious quarrels upon my hands, on account of other people, whom I have supposed to be misunderstood, or misrepresented, slandered, wronged, or cheated. On my own account, personally, I have not had a regular toss-up with anybody for many a long year, so that some of my best friends have thought, I fear, that I was spoiling for a fight, and have even ventured so far as to tell me so, thereby proving themselves mistaken in my character."

And in other places he recounts battles of all kinds with tongue, pen, and fists—which he waged from the age of eight years up to the time of writing this present volume, in the last pages of which General Neal Dow comes in for as thorough a tongue-thrashing as ever a very peaceable old gentleman inflicted on an acquaintance. It is quite worth reading.

A more generally interesting proof that Mr. Neal is not afraid to speak his mind, however contrary it may be to the voice of mankind in general, he gives in his diatribe against an old acquaintance of his youth—Mr. John Stuart Mill. No doubt, he means it in all honesty; but he so habitually performs the feat of putting himself between himself and the object of his vision, that no sensible person would think of taking his unsupported word to the prejudice of any person who may possibly have offended his egregious vanity and stirred his impetuous and bitter temper:

"But by far the most remarkable man I met with over sea, often enough and intimately enough to understand him in all his bearings, was the individual who has since become the political economist, the metaphysician, the logician—I had almost said the statesman—John Stuart Mill. Cunning, timid, politic, without originality, wholly destitute of imagination, enthusiasm, and warmth, all which he stigmatized as different degrees of *sentimentality*, and, but for his wife, a man who would have lived and died with no more heart than a sphynx or a syllogism, he has managed, nevertheless, by borrowing largely from others—and especially from Bentham, as did his father before him in his 'British India,' where the account of Warren Hastings's trial is taken altogether from Bentham, even to the language—to establish for himself a reputation well worth living for."

"His logic was the logic of Jeremy Bentham, and of nobody else, with a few unimportant changes; and so were his metaphysics. Of Bentham, he learned to question the attributes and being of God, though never willing to be called an atheist, but only, at the worst, a free-thinker and philosopher. But his want of moral courage I foresaw—while he was yet a beardless boy in appearance, hardly out of his teens, and, if really over two-and-twenty, looking as if not more than eighteen, with a small head, light-brown hair, a girlish face, and a boyish manner—would lead him into some dreadful scrape at last, notwithstanding his uncommon talent of a certain kind—that of a drudge and assayer, and his excessive caution and craft; and so it turned out."

"Before this, however, although his finger-prints were on the margin of the proof, he had positively denied to me all agency and all participation in the dastardly and treacherous manoeuvre which I have already mentioned as the work chiefly of John Bowring, Esquire, LL.D.—by virtue of a Dutch diploma, for translating a few Dutch verses into what passed in Holland not only for English, but for English poetry."

"Long after this, and within the last two or three years, we find the gentleman getting ambitious, or, as Robert Walsh, Junior, the 'American gentleman,' thought proper to say of President Madison, 'presuming to be ambitious,' and soon after successful, so far as to become a Member of

Parliament, without contributing a penny—from principle, of course—to the cost of his own election; and, again, we hear of him as a candidate, and trying to make speeches, and failing, of course, as he always must, notwithstanding his acknowledged talents as a writer and as a reasoner, for lack of natural and even of artificial warmth and earnestness. Demonstrations, axioms, and syllogisms are not speeches, and are never listened to with patience, nor ever understood by the people, when they are announced from the platform, and without even a show of earnestness.

"In the heat and hurry of the late canvass, we find him seriously questioned about his religious belief; but instead of answering, 'That is none of your business,' and stopping there, as he might well have done, without losing caste, or his own self-respect, or the respect of others; instead of owning up to what he made no secret of when I knew him, he answered with a special plea, just as Bowring did when called to account for his dealings with the Greek Commissioners about the Greek loan, and refused to answer, lest he should make a precedent for all eternity. As if any man who believes anything has a right to withhold the acknowledgment of his belief, when seriously questioned! As if, in a matter of so much consequence to himself, he has a right to shuffle or evade the enquiry, or refuse to answer even an impertinent question, for such a reason! How much better to say, 'Hands off! I do not choose to answer; nor will I condescend to give my reasons for not answering. Let us do as we like, and, when the pinch comes, take the consequences.' But no! such plain dealing is not Mr. Mill's way. He would call it *sentimentality*, and being of those who 'never take their tea without a stratagem,' and who prefer to gain their ends by overreaching or outwitting others, he has succeeded at last in cutting his own throat from ear to ear, with a dull *pocket-knife*, and will most likely never be heard of more, in public life.

"In his book on liberty, which, instead of being a diluted tincture, like portions of the 'Rationale of Judicial Evidence,' is but another decoction of concentrated Benthamism, he acknowledges the inspiration of his wife. When I knew him, he was not only incapable of acknowledging, but even of feeling, obligation to anybody. Hence I infer that she was really a woman of great power, and of uncommon worth; and although I do not believe what he says of her judgment and sweet influence, taking the whole of that dedication for a sentimental flourish, still I must say that she appears to have humanized him; and that, on the whole, having satisfied him that he was a creature of flesh and blood, and not an icicle, nor an abstraction, inert and lifeless, I am sorry she did not live long enough to prevent his making a fool of himself, by such a pitiful subterfuge as I have mentioned."

It was at Jeremy Bentham's that he made the intimate acquaintance of Mill and Sir John Bowring—whom he hates thoroughly and fiercely—and others of the Utilitarian school. His account is of some interest, but, for the reason we have given, not, we imagine, of any value. We must, at all events, refer our readers to the book itself, in which they will find, beside the account of the good old philosopher, much matter of interest—as how Mr. Neal was a cheating clerk in a store, how everybody admired his sharpness, how he fought many battles, how he went into the dry-goods business with John Pierpont and failed, how he read law—doing four or five years' work in a twelvemonth, and at the same time writing enough in the papers to earn his living, and moreover studying five or six languages; how he was admitted to the bar; how he burst forth in poetry and prose; how some one putting to him the *Edinburgh's* contemptuous query, "Who reads an American book?" he forthwith transferred his law business, and went to London to vindicate his country's fame in Britain itself; how he wrote for *Blackwood's*, and was not a little pleased by it; how he fought bullies in the theatre; how he beat everybody at fencing; how he came home, and was going to settle elsewhere, but heard it said that the Portland mob would not allow him to settle in his native place; how then, having no taste for hot water, he swore he would settle just there, and nowhere else, and did settle there; and, after fighting three or four street fights, was left in peace, and has lived in peace—perhaps—ever since; how he took sound views on the question of free speech for abolitionists, and sound views also on the question of temperance as opposed to total abstinence, and very advanced views in regard to the woman question, and fought for these opinions, and for the right to express them, and came out victorious in the end, despite his relative above-mentioned and a wicked world. In short, till he compels him to read his novels and poetry, the reader will give this pioneer author of ours hearty, though somewhat qualified, respect and liking, as a brave man, an honest one, and one who has worked hard and done good service, cheerfully, in his day and generation.

Mopsa the Fairy. By Jean Ingelow. (Boston: Roberts Brothers. 1869.)—The imperfectly imaginative character of Miss Ingelow's mind is more plainly seen in this little book than in any of the others which she has published. These arbitrarily fantastical incidents and personages, which are more like the incidents and personages of a dream than anything else, are not the work of the imagination, in any high sense of that word, but of the fancy, in a low sense of that word, producing distortions,

and what we may pronounce monstrosities. The "incidents and personages of a dream" have recently been used with great effect as the subject-matter of a child's book. But "*Alice's Adventures in Wonderland*" is a piece of strict realism. It is the reflection, in the warped and blurred mirror of dreams, of the daily waking dreams of the little girl whose sleeping adventures are told; and it makes no professions of being anything but realism, nor of offering us imaginative truth. Miss Ingelow's book gives us the arbitrary fantasticalness of an impossible dream—if there are any impossible dreams—and furthermore seems trying to offer us something beyond this—what, we do not clearly make out; but an attempt there is at making the events, or some of them, address the imagination; and the result is a mixture—meaningless to us, from whichever side it may be viewed. We may say "impossible dreams," we think. What very small boy—a person five or six years old, say—among a number of things of which he dreams, some being very childish in one sense of the word, and some in the other, dreams out one or two love affairs in which he is a chief party? None, as we believe—if he does his own dreaming, and it is not done for him by some gentleman or lady a number of years past his time of life. The latter part of "*Mopsa the Fairy*" is highly sentimental in this respect. Far be it from us to say that quite young boys may not and do not get up warm affections of a not strictly childlike kind for lovable women old enough to be their elder sisters or their mothers; for we see that happening; and dreams of lovable beautiful women, or fairies, are probably the natural results of such loves and admirations. But still the love is not at all of the kind which strikes the note of these verses, for example, in which the finch flies home from her dead mate:

"The finch flew back to her cold, cold nest—
(Feathers and moss and a wisp of hay):—
Mine is the trouble that rent her breast;
And home is silent, and love is clay."

Yet a good deal of our hero's love is of this more aged character, or hovers on the verge of being so; and the effect is not pleasant, if only for its incongruity with the rest of the book, to say nothing of its essential falseness.

Of the poetry scattered through the volume, some is borrowed, and some is original, and little of it is not good. Here is a breezy picture of the sort that Miss Ingelow is fond of:

"When I sit on market-days among the comers and the goers,
Oh! full oft I have a vision of the days without alloy;
And a ship comes up the river with a jolly gang of towers,
And a pull'e, haul'e, pull'e haul'e, yoy! heave hoy."

The children will like it, though children have nothing to do with the first two lines of it any more than with Miss Ingelow's sentimental use of the bereaved finch. By the way, the disagreeable pitching-tossing metre of this latter extract gets few imitators, we are glad to see, among the verse-writers. It is rather a wonder it should be used so much, or at all, by a writer some of whose "songs sing themselves," as has been said—some of whose songs move prettily, at all events. The style of the story is agreeable, as all Miss Ingelow's prose is sure to be.

Julius Caesar: Did he Cross the Channel? Reviewed by John Wainwright, Member of the Historical Society of Pennsylvania, etc. (London: John Russell Smith; Philadelphia: John Campbell. 1869.)—It would hardly seem to require one hundred and twenty-six pages of discussion to disprove so improbable a theory as that Caesar, in his invasion of Britain, crossed from Holland to the coast of Norfolk, instead of from Flanders to the coast of Kent; especially as Mr. Surtees, the propounder of the theory, is obliged to suppose a mighty convulsion of nature which has since widened the sea between England and Holland. For Caesar may be supposed to have meant what he said when he asserts that he chose his route because it was *brevissimus in Britanniam trajectus*. What real arguments Mr. Surtees advances it is hard to make out from Mr. Wainwright's rambling and many-worded refutation, for he nowhere takes pains to give us the language of the writer whom he is answering; and he appears to be incapable of stating an argument, whether his own or another person's, in a clear and connected form. Possibly Mr. Surtees has really some ground for his opinion; if so, his reviewer has sadly failed to appreciate his position, for he mentions hardly a single point that is worth the trouble of refuting. Mr. Wainwright very well shows the absurdities of Strabo's Geography of Britain, upon which Mr. Surtees appears to have relied; and he accepts Napoleon's solution of the words of

Florus: *Bonnam et Gessoriacum pontibus junxit*, from which Mr. Surtees infers that Gessoriacum was on the Lower Rhine instead of on the site of Boulogne. "He connected these two distant places by building bridges over the many intervening streams." Mr. Wainwright aptly adds, in a note; "Admitting that Gessoriacum was at the mouths of the Rhine, . . . the bridges were indeed long ones. Bonn is distant from the mouths of the Rhine 200 to 250 miles."

It is unfortunate that this pamphlet was printed in England, for the proof-reading would be a disgrace to a country printing-office, and the author complains that he was not able to revise the proofs. The contents of the page of errata (which itself reads *Verolanum* for *Verolanium*) would seem to have been selected at random; for there is hardly a page that would not afford additional errors. Take for instance this Latin, p. 103: "Multitudo hominum es infinita, que ædificia, creberrime fere consimilia Gallices numeros pecoies magnas. Cæc. B. G. v. 12." But Mr. Wainwright's English is nearly as remarkable; in particular, he seems quite unable to cope with the relative *which*. For instance, p. 23, Cæsar "espied the Britons marching, in full force, towards the river Stour, which, becoming troublesome, he repulsed"—a small task, one might say, after conquering the Rhine. Again, p. 56, in speaking of Carausius, a Menapian by birth: "Menapia is a place of dubious identity, and whether born in Ireland, Wales, or Belgium, is not known." And these are but specimens of his ordinary style.

Beatrice, and Other Poems. By the Hon. Roden Noel. (London: Macmillan & Co. 1868.) *Beatrice.* By the Hon. Roden Noel. (Philadelphia: J. B. Lippincott & Co. 1869.)—Evidently we have in Mr. Noel a poet who is still youthful, and, if we knew just how young, we should either say that evidently he is going to do quite good work, but none of the better sort of work, when he shall have got older; or else we should say that, being only twenty or twenty-one, and having done so well as in "Ganymede" and some other pieces, some work of true excellence may fairly be expected of him. And even if he has considerably passed his first youth, there are things here which justify decided praise. Above all, though there is no great power of thought, nor warmth and depth of feeling, nor musical capacity, exhibited in these poems, there is very little morbidity of feeling—none we should think that is real, out-and-out morbidity—and that is a good sign in a young writer of poetry. Scarcely less good signs are the purity of feeling which is seen throughout the volume, and a prevalent healthy objectiveness, which is of good omen for Mr. Noel's future, and which his readers will find refreshing.

The faults of his poetry we have glanced at. It is immature in thought—or else it shows that its author has no great ability in thinking; and that he does not know too much; it is not particularly well finished, and its want of finish is not due to exuberances and heat, but apparently rather to the thinness of the soil and a want of intelligent carefulness; it is not impassioned, and not musical. But of one excellence—some degrees of which are common enough—that which consists in the capacity to make a clear cut picture or image of a scene in nature, Mr. Noel possesses so high a degree as to warrant a qualified but real belief in his artistic capacity. It is not one of our ordinary poetasters who does things like this from the "Ganymede" we have mentioned above. The boy lies beneath a locust tree in the midst of this Egean scene:

"Azure the heaven with rare a feathery cloud;
Azure the sea, far-scintillating light,
Soft rich like velvet yielding to the eye;
Horizons haunted with some dreamlike sails;
A temple hypæthral open to sweet air
Nigh on the height, columned with solid flame,
Of flutings and acanthus-work, instinct
With lithe green lizards, and the shadows sharp
Slant barring golden floor and inner wall.

"A locust-tree condensing all the light
On glossy leaves, and flaky spilling some
Sparkling among cool umbrage underneath;
There magically sobered melow, soft,
At unaware beholding, gently laid
A youth bare-limbed the loveliest in the world,
Gloatingly falling on his lily side,
Smoothing one rounded arm and dainty hand
Whereon his head conscious and conquering
All chestnut-curl'd rests listless and superb."

A scintillating sea is not much like velvet, and perhaps there is too much, or too many, made of the lizard, and we are all the less inclined to think the multitude of them a true touch in the picture, because "instinct with lithe green lizards" is an affected phrase; and there is roughness to be complained of. But still the conception is good, and it is carried out better than usual. More successful still—indeed, very good of its kind—is this from "Palmyra":

"Listless and weary silently we crouch
Under the sun's intolerable face,
For ever forward heaving dreamily,
Each on his camel with a noiseless foot,
Swift, sure, and silent like the feet of Time,
And nose protruding level on the air:
Our brilliant-hued and flowing-vested guards
Drowsily bowing to the camel-stride,
Our shadows blotted sharp upon the sand,
And ne'er a sound but in the barrel slung,
A gurgling as of wells among the palms!"

"Beatrice," which Messrs. Lippincott & Co. have chosen out of the English volume to reprint, is not at all one of its author's best works. It is a story—a boy's invention—which turns upon the passions of love and fierce revenge, which the boy plainly knew little or nothing about. Some of the lyrics were, perhaps, put in somewhat later. The tale is of a noble youth who weds a peasant girl; after a pretty courtship takes her to some indefinitely described district in Italy; goes away on a journey, and returns to find his wife gone; is assailed by a wicked lady who once had loved him, and who pretends to know that the wife has eloped with a duke and to believe that Clement had better love her, the marchioness; discovers that the duke is in Corsica and that the wife is an unwilling prisoner; goes over there, and, meeting the profligate, kills him by throwing him over a cliff; takes the wife from the castle, but loses her by death before their own shore is reached; buries her and returns to the North somewhere and lives a mysterious and gloomy life, which is much commented on by all his neighbors. Yet in this puerility there are occasional flashes of the characteristic excellence we have spoken of, though nothing like so many of them as to make "Beatrice" worth reading, and to such persons as wish to make Mr. Noel's acquaintance we commend the English volume, which contains the shorter pieces.

A Treatise on Admiralty and Prize, together with some Suggestions for the Guide and Government of United States Naval Commanders in Maritime Wars. By David Roberts. (New York: Hurd & Houghton; Cambridge: Riverside Press. 1869. In one volume.)—Many writers of law-books employ assistants to collect and arrange authorities from which they themselves prepare the text of the book, leaving the assistants to cite and explain the authorities in voluminous notes, but it is evident that Mr. Carter has not prepared his book in this way. He has evidently done his own work, and all of it. The text is his, and as for the notes there are none.

His aim was to write "a useful and readable book." Of the twenty-one chapters on admiralty he has made those on collision, salvage, and mariners' wages and rights the most useful, and they are good. He devotes a separate chapter to whaling. His plan throughout the chapters on admiralty has been to present the question discussed; then, give simple lists of authorities, American and English, on each side; and sometimes, after a discussion of some leading case, but more frequently without discussion, state the law as he thinks it to have been decided. This plan makes the book "readable," and especially to officers of the navy, for whom we judge it to have been particularly written, but it by no means impairs the value of the book to a lawyer with a good library or to the law student.

To prize law he devotes the remaining third of the volume. This part of the work does not contain much that will be valuable to the profession as a text-book. It discusses at length various international questions that arose during the rebellion, and distinctly maintains that England's neutrality during the rebellion, beginning with the Queen's Proclamation of May 19, 1869, was a *quasi* belligerency; but the discussion, however good in itself as an article for a review, should never have been put into this book. Mr. Sumner will find something to approve, but Mr. Motley, even in court dress, will scarcely be expected to inform her Majesty "that the wound caused to the Queen by the early removal of the Prince-consort during Palmerston's premiership could not have been deeper than was that inflicted upon the United States by the Foreign Secretary."

A Parser and Analyzer for Beginners, with Diagrams and Suggestive Pictures. By Francis A. March, Professor of the English Language and Comparative Philology in Lafayette College. (New York: Harper & Brothers, publishers, Franklin Square. 1869. 16mo, pp. 86.)—If anybody wishes to drill into a class of young scholars the technicalities of English grammar, we think Professor March's little book perhaps the best he can find for its use, inasmuch as it is brief and compact, aiming to combine the minimum of abstract rules with the maximum of

practice. The principle upon which it is prepared—"to task memory as little as possible, perception and judgment as much as possible"—is undoubtedly sound; for if the study of grammar is good for anything, it is as an exercise of the reasoning powers. But, then, for this purpose it is too difficult and abstruse a subject for pupils of the age for which this book appears to be designed; and those of a suitable age for the study, say fifteen or sixteen, do not need the copious illustrations and diagrams, which would be of great service to a younger scholar. By the way, the most valuable hint in the book is the introduction of these pictures as a basis or material for the construction of sentences: this feature might be developed by itself to great advantage for even younger scholars. But if we were going to give children technical grammar at all, we certainly would not afflict them with all the absurdities which have been foisted upon English grammar by a mistaken imitation of Latin and Greek. We see, for instance, no reason for classing the articles as a separate part of speech; and in the sentence, "No one will help us unless we help our-

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